

JOURNALS
OF THE
House of Representatives
OF THE
State Of Alabama

ORGANIZATIONAL SESSION OF 1955
EXTRAORDINARY SESSIONS OF 1955
REGULAR SESSION OF 1955



Vol. I

WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

SKINNER PRINTING COMPANY
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MONTGOMERY, ALABAMA

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ORGANIZATIONAL SESSION 1955

FIRST DAY

State Capitol of Alabama
Montgomery, Tuesday, January 11, 1955

JOURNAL

of the House of Representatives of the State of Alabama, of the Organizational Session of 1955, begun and held at the Capitol in the City of Montgomery, State of Alabama, on the Second Tuesday in January, 1955, being the eleventh day of the month in the Year of our Lord One Thousand Nine Hundred and Fifty-Five, at 12 o'clock, M., on which day, the day fixed by law for the meeting of the Legislature of Alabama, the House was called to order by Hon. Roberts H. Brown, Speaker of the House of Representatives.

PRAYER

The session was opened with prayer by the Reverend Paul A. Duffey, Pastor, Dexter Avenue Methodist Church, Montgomery, Alabama.

CERTIFICATE OF ELECTION STATE OF ALABAMA

DEPARTMENT OF STATE

I, Mrs. Agnes Baggett, Secretary of State of the State of Alabama, do hereby certify that it appears from the returns of the election held on November 2, 1954, received in this department in accordance with law, that the following named persons were elected to the House of Representatives for a term of four years, from the respective counties as follows:

Autauga County	E. A. (Bud) Grouby
Baldwin County	L. W. Brannan, Jr.
Barbour County—Place No. 1	Sim A. Thomas
Barbour County—Place No. 2	McDowell Lee
Bibb County	Virgis M. Ashworth
Blount County	Lowell Gregory
Bullock County—Place No. 1	M. B. McLendon
Bullock County—Place No. 2	J. A. Crook
Butler County—Place No. 1	A. L. Killough
Butler County—Place No. 2	H. B. Taylor

Calhoun County—Place No. 1	Woodrow Albea
Calhoun County—Place No. 2	Howard L. Bagley
Chambers County—Place No. 1	Roy W. McClendon
Chambers County—Place No. 2	Robert R. Hunt
Cherokee County	J. B. Burkhalter
Chilton County	Francis W. Speaks
Choctaw County	Robert Locke
Clarke County—Place No. 1	Marion Bradford
Clarke County—Place No. 2	Emory McNider
Clay County	Charles (Pete) Mathews
Cleburne County	J. H. Pirkle
Coffee County	Jackson W. Stokes
Colbert County	Harry J. (Jack) Huddleston
Conecuh County	Robert G. Kendall, Jr.
Coosa County	Charles R. Franklin
Covington County	Clyde M. Love
Crenshaw County	V. S. Summerlin
Cullman County	Bryce C. Davis
Dale County	Henry B. Steagall, II
Dallas County—Place No. 1	William P. Molette
Dallas County—Place No. 2	Frank Hardy
Dallas County—Place No. 3	B. V. Hain
DeKalb County	F. L. (Hello) Ferrell
Elmore County—Place No. 1	Carol Jack Law
Elmore County—Place No. 2	Hardaway Johnson
Escambia County	Malcolm Edwards
Etowah County—Place No. 1	George C. Hawkins
Etowah County—Place No. 2	E. K. Hanby
Fayette County	James A. Branyon, II
Franklin County	W. E. (Emmett) Oden
Geneva County	Roland R. Faulk
Greene County	W. L. Martin, Jr.
Hale County—Place No. 1	Reginald Richardson
Hale County—Place No. 2	Charles H. Ramey
Henry County—Place No. 1	Emory R. (Em) Solomon
Henry County—Place No. 2	G. B. Mathison, Sr.
Houston County	R. J. (Bob) Stenbridge
Jackson County—Place No. 1	Leroy D. Gist
Jackson County—Place No. 2	Joe Money
Jefferson County	J. K. (Jess) Edwards
	Hugh Kaul
	Rufus M. Lackey
	J. Paul Meeks
	Charles Nice, Jr.
	Walter Emmett Perry, Jr.
	Paschal P. "Pat" Vacca
Lamar County	Jesse Brown
Lauderdale County—Place No. 1	Robert H. Broadfoot
Lauderdale County—Place No. 2	E. B. Haltom, Jr.
Lawrence County	W. J. Lee, Jr.
Lee County—Place No. 1	Roberts H. Brown
Lee County—Place No. 2	D. W. Ward
Limestone County	James M. Dement
Lowndes County—Place No. 1	Robert S. Dickson, Jr.
Lowndes County—Place No. 2	A. J. Brooks
Macon County	J. J. Rodgers
Madison County—Place No. 1	N. L. (Luke) Reynolds
Madison County—Place No. 2	Roscoe Roberts, Jr.
Marengo County—Place No. 1	Jack B. Kirkham
Marengo County—Place No. 2	Cephus R. Holliman

Marshall County	Garnett Cox
Mobile County—Place No. 1	Michael Thomas Murphy
Mobile County—Place No. 2	John M. Tyson
Mobile County—Place No. 3	Otto E. Simon
Monroe County	N. S. (Nick) Hare
Montgomery County—Place No. 1	Joe M. Dawkins
Montgomery County—Place No. 2	O. J. (Joe) Goodwyn
Montgomery County—Place No. 3	H. James Hall
Montgomery County—Place No. 4	Wilbur B. Nolen, Jr.
Morgan County—Place No. 1	Albert P. Brewer
Morgan County—Place No. 2	Bob Gilchrist
Perry County—Place No. 1	Judson C. Locke, Sr.
Perry County—Place No. 2	W. L. DeSear
Pickens County	Ralph Windle
Marion County	Rankin Fite
Pike County—Place No. 1	L. Gardner Bassett
Pike County—Place No. 2	A. L. (Pat) Boyd
Randolph County	J. M. (Jimmie) Jenkins
Russell County—Place No. 1	Homer W. Cornett
Russell County—Place No. 2	J. W. Brassell
St. Clair County	George W. Hodges, Jr.
Shelby County	Karl C. Harrison
Sumter County—Place No. 1	Jesse E. Harvey
Sumter County—Place No. 2	Ira D. Pruitt
Talladega County—Place No. 1	L. N. Payne
Talladega County—Place No. 2	C. W. (Charlie) McKay, Jr.
Tallapoosa County—Place No. 1	Charles Adams
Tallapoosa County—Place No. 2	J. T. (Tom) Johnson
Tuscaloosa County—Place No. 1	A. K. (Temo) Callahan
Tuscaloosa County—Place No. 2	Ryan deGraffenried
Walker County—Place No. 1	Alonzo Shumate
Walker County—Place No. 2	T. K. Selman
Washington County	J. Emmett Wood
Wilcox County—Place No. 1	Sam C. Nettles, Jr.
Wilcox County—Place No. 2	Gregory Oakley
Winston County	J. H. Kelly

I do hereby certify that the certificate of election required by law to be furnished by me to the members of the House of Representatives has been mailed to each member shown to be elected by the returns of election made to this department.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol, in the City of Montgomery this the 5th day of January, 1955.

(SEAL)

Mrs. Agnes Baggett
Secretary of State

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Messrs.	Brannan	Burkhalter	Dement
Adams	Branyon	Callahan	DeSear
Albea	Brassell	Cornett	Dickson
Ashworth	Brewer	Cox	Edwards (Escambia)
Bagley	Broadfoot	Crook	Edwards (Jefferson)
Bassett	Brooks	Davis	Faulk
Boyd	Brown (Lamar)	Dawkins	Ferrell
Bradford	Brown (Lee)	deGraffenried	Fite

Franklin	Jenkins	McNider	Richardson
Gilchrist	Johnson (Elmore)	Martin	Roberts
Gist	Johnson (Tallapoosa)	Mathews	Selman
Goodwyn	Kaul	Mathison	Shumate
Gregory	Kelly	Meeks	Simon
Grouby	Kendall	Money	Solomon
Hain	Killough	Murphy	Speaks
Hall	Kirkham	Nettles	Steagall
Haltom	Lackey	Nice	Stembridge
Hanby	Law	Nolen	Stokes
Hardy	Lee (Barbour)	Oakley	Summerlin
Hare	Lee (Lawrence)	Oden	Taylor
Harrison	Locke (Choctaw)	Payne	Thomas
Harvey	Locke (Perry)	Perry	Tyson
Hawkins	Love	Pirkle	Vacca
Hodges	McClendon	Pruitt	Ward
Holliman	McKay	Ramey	Windle
Huddleston	McLendon	Reynolds	Wood
Hunt			

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A quorum was present.

OATH OF OFFICE

The oath of office was administered to the above members by the Hon. Pelham J. Merrill, Associate Justice of the Supreme Court of Alabama.

OATH OF OFFICE

THE STATE OF ALABAMA, MACON COUNTY.

I, J. J. Rodgers do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof, and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter to the best of my ability. So help me God.

J. J. Rodgers.

Sworn to and subscribed before me this 10 day of January, 1955.

Wm. Varner
Judge of Probate,
Macon County, Ala.

ELECTION OF OFFICERS

The House then proceeded to the election of its permanent officers.

ELECTION OF SPEAKER

Mr. Martin nominated Hon. Rankin Fite of Marion County for Speaker of the House, and those who voted for Mr. Fite are:

Messrs.	Bradford	Brown (Lamar)	Davis
Adams	Brannan	Brown (Lee)	Dawkins
Albee	Branyon	Burkhalter	deGraffenried
Ashworth	Brassell	Callahan	Dement
Bagley	Brewer	Cornett	DeSear
Bassett	Broadfoot	Cox	Dickson
Boyd	Brooks	Crook	Edwards (Escambia)

Edwards ^(Jefferson)	Holliman	McKay	Reynolds
Faulk	Huddleston	McLendon	Richardson
Ferrell	Hunt	McNider	Roberts
Franklin	Jenkins	Martin	Selman
Gilchrist	Johnson ^(Elmore)	Mathews	Shumate
Gist	Johnson ^(Tallapoosa)	Mathison	Simon
Goodwyn	Kaul	Meeks	Solomon
Gregory	Kelly	Money	Speaks
Grouby	Kendall	Murphy	Steagall
Hain	Killough	Nettles	Stembridge
Hall	Kirkham	Nice	Stokes
Haltom	Lackey	Nolen	Summerlin
Hanby	Law	Oakley	Taylor
Hardy	Lee ^(Barbour)	Oden	Thomas
Hare	Lee ^(Lawrence)	Payne	Tyson
Harrison	Locke ^(Choctaw)	Perry	Vacca
Harvey	Locke ^(Perry)	Pirkle	Ward
Hawkins	Love	Pruitt	Windle
Hodges	McClendon	Ramey	Wood

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Mr. Fite, having received all of the votes cast, a majority of the House, was declared duly and constitutionally elected Speaker of the House of Representatives for the term prescribed by law.

The Speaker named as a committee Messrs. Dawkins, Hawkins and Meeks to notify Mr. Fite of his election and to escort the Speaker elect to the Chair.

Hon. Rankin Fite appeared and the oath of office was administered to him by Hon. Pelham J. Merrill, Associate Justice of the Supreme Court of Alabama.

RESOLUTION

The following resolution was introduced:

By Mr. Meeks:

H.R. 1. BE IT RESOLVED that the House of Representatives do now proceed to elect a Speaker Pro tempore.

ELECTION OF SPEAKER PRO TEM

Mr. Dawkins nominated Hon. George C. Hawkins of Etowah County for Speaker Pro Tem of the House, and those who voted for Mr. Hawkins are:

Messrs.:	Burkhalter	Gilchrist	Huddleston
Adams	Callahan	Gist	Hunt
Albea	Cornett	Goodwyn	Jenkins
Ashworth	Cox	Gregory	Johnson ^(Elmore)
Bagley	Crook	Grouby	Johnson ^(Tallapoosa)
Bassett	Davis	Hain	Kaul
Boyd	Dawkins	Hall	Kelly
Bradford	deGraffenried	Haltom	Kendall
Brannan	Dement	Hanby	Killough
Branyon	DeSear	Hardy	Kirkham
Brassell	Dickson	Hare	Lackey
Brewer	Edwards ^(Escambia)	Harrison	Law
Broadfoot	Edwards ^(Jefferson)	Harvey	Lee ^(Barbour)
Brooks	Faulk	Hawkins	Lee ^(Lawrence)
Brown ^(Lamar)	Ferrell	Hodges	Locke ^(Choctaw)
Brown ^(Lee)	Franklin	Holliman	Locke ^(Perry)

Love	Murphy	Ramey	Stembridge
McClendon	Nettles	Reynolds	Stokes
McKay	Nice	Richardson	Summerlin
McLendon	Nolen	Roberts	Taylor
McNider	Oakley	Selman	Thomas
Martin	Oden	Shumate	Tyson
Mathews	Payne	Simon	Vacca
Mathison	Perry	Solomon	Ward
Meeks	Pirkle	Speaks	Windle
Money	Pruitt	Steagall	Wood

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Mr. Hawkins, having received all of the votes cast, a majority of the House, was declared duly and constitutionally elected Speaker Pro Tem of the House of Representatives for the term prescribed by law.

ELECTION OF ASSISTANT CLERK

Mr. Hawkins nominated Hon. Oakley Melton, Jr., of Montgomery County for Assistant Clerk of the House, and those who voted for Mr. Melton are:

Messrs.:	Dickson	Johnson (Tallapoosa)	Oakley
Adams	Edwards (Escambia)	Kaul	Oden
Albea	Edwards (Jefferson)	Kelly	Payne
Ashworth	Faulk	Kendall	Perry
Bagley	Ferrell	Killough	Pirkle
Bassett	Franklin	Kirkham	Pruitt
Boyd	Gilchrist	Lackey	Ramey
Bradford	Gist	Law	Reynolds
Brannan	Goodwyn	Lee (Barbour)	Richardson
Branyon	Gregory	Lee (Lawrence)	Roberts
Brassell	Grouby	Locke (Choctaw)	Selman
Brewer	Hain	Locke (Perry)	Shumate
Broadfoot	Hall	Love	Simon
Brooks	Haltom	McClendon	Solomon
Brown (Lamar)	Hanby	McKay	Speaks
Brown (Lee)	Hardy	McLendon	Steagall
Burkhalter	Hare	McNider	Stembridge
Callahan	Harrison	Martin	Stokes
Cornett	Harvey	Mathews	Summerlin
Cox	Hawkins	Mathison	Taylor
Crook	Hodges	Meeks	Thomas
Davis	Holliman	Money	Tyson
Dawkins	Huddleston	Murphy	Vacca
deGraffenried	Hunt	Nettles	Ward
Dement	Jenkins	Nice	Windle
DeSear	Johnson (Elmore)	Nolen	Wood

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Mr. Melton, having received all of the votes cast, a majority of the House, was declared duly and constitutionally elected Assistant Clerk of the House for the term prescribed by law.

ELECTION OF DOORKEEPER

Mr. Law nominated Hon. Mack Brassell of Montgomery County for Doorkeeper of the House, and those who voted for Mr. Brassell are:

Messrs.:	Albea	Bagley	Boyd
Adams	Ashworth	Bassett	Bradford

Brannan	Gist	Lackey	Pruitt
Branyon	Goodwyn	Law	Ramey
Brassell	Gregory	Lee (Barbour)	Reynolds
Brewer	Grouby	Lee (Lawrence)	Richardson
Broadfoot	Hain	Locke (Choctaw)	Roberts
Brooks	Hall	Locke (Perry)	Rodgers
Brown (Lamar)	Haltom	Love	Selman
Brown (Lee)	Hanby	McClendon	Shumate
Burkhalter	Hardy	McKay	Simon
Callahan	Hare	McLendon	Solomon
Cornett	Harrison	McNider	Speaks
Cox	Harvey	Martin	Steagall
Crook	Hawkins	Mathews	Stembridge
Davis	Hodges	Mathison	Stokes
Dawkins	Holliman	Meeks	Summerlin
deGraffenried	Huddleston	Money	Taylor
Dement	Hunt	Murphy	Thomas
DeSear	Jenkins	Nettles	Tyson
Dickson	Johnson (Elmore)	Nice	Vacca
Edwards (Escambia)	Johnson (Tallapoosa)	Nolen	Ward
Edwards (Jefferson)	Kaul	Oakley	Windle
Faulk	Kelly	Oden	Wood
Ferrell	Kendall	Payne	
Franklin	Killough	Perry	
Gilchrist	Kirkham	Pirkle	

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Mr. Brassell, having received all of the votes cast, a majority of the House, was declared duly and constitutionally elected Doorkeeper of the House for the term prescribed by law.

ELECTION OF ASSISTANT DOORKEEPER

Mr. Hawkins nominated Hon. Gilbert Davis of Pickens County for Assistant Doorkeeper of the House, and those who voted for Mr. Davis are:

Messrs.:	Dement	Huddleston	Meeks
Adams	DeSear	Hunt	Molette
Albea	Dickson	Jenkins	Money
Ashworth	Edwards (Escambia)	Johnson (Elmore)	Murphy
Bagley	Edwards (Jefferson)	Johnson (Tallapoosa)	Nettles
Bassett	Faulk	Kaul	Nice
Boyd	Ferrell	Kelly	Nolen
Bradford	Franklin	Kendall	Oakley
Brannan	Gilchrist	Killough	Oden
Branyon	Gist	Kirkham	Payne
Brassell	Goodwyn	Lackey	Perry
Brewer	Gregory	Law	Pirkle
Broadfoot	Grouby	Lee (Barbour)	Pruitt
Brooks	Hain	Lee (Lawrence)	Ramey
Brown (Lamar)	Hall	Locke (Choctaw)	Reynolds
Brown (Lee)	Haltom	Locke (Perry)	Richardson
Burkhalter	Hanby	Love	Roberts
Callahan	Hardy	McClendon	Rodgers
Cornett	Hare	McKay	Selman
Cox	Harrison	McLendon	Shumate
Crook	Harvey	McNider	Simon
Davis	Hawkins	Martin	Solomon
Dawkins	Hodges	Mathews	Speaks
deGraffenried	Holliman	Mathison	Steagall

Stembridge
Stokes
Summerlin

Taylor
Thomas
Tyson

Vacca
Ward

Windle
Wood

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Mr. Davis, having received all of the votes cast, a majority of the House, was declared duly and constitutionally elected Assistant Door-keeper of the House for the term prescribed by law.

APPOINTMENT OF READING CLERK

The Speaker appointed Hon. Richard C. Belser of Montgomery County as Reading Clerk of the House.

OFFICERS SWORN IN

Messrs. George C. Hawkins, Oakley Melton, Jr., Mack Brassell, Gilbert Davis and Richard C. Belser, subordinate officers of the House, appeared and the oath of office was administered to them by Hon. Rankin Fite, Speaker of the House.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Hawkins:

H.R. 2. BE IT RESOLVED by the House that the Rules of the House of Representatives of the 1953 Session of the Legislature of Alabama be and they are hereby adopted as the Rules of this House until the Committee on Rules shall report the rules of the House.

On motion of Mr. Hawkins H.R. 2 was adopted.

Also:

By Mr. Hawkins:

H.R. 3. BE IT RESOLVED by the House of Representatives that the Clerk of the House of Representatives inform the Senate of Alabama that the House of Representatives has perfected its organization and elected its permanent officers and is now ready for the transaction of public business; that he communicate to the Senate the names of the several officers elected by the House.

On motion of Mr. Hawkins the rules were suspended and H.R. 3 was adopted.

Also:

By Mr. Hawkins:

H.J.R. 4. BE IT RESOLVED by the House, the Senate concurring, that a committee of five, consisting of two members on the part of the Senate to be appointed by the presiding officer of the Senate, and three members on the part of the House to be appointed by the Speaker of the House, be named to wait upon the Governor of Alabama and inform him of the organization of the Legislature of Alabama, and its readiness to transact business.

AND BE IT FURTHER RESOLVED that said Committee ascertain from His Excellency if he desires to address a joint session of the Legislature and if he does so desire to address a joint session then to further ascertain the time most suitable to him for such address.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 4 was adopted.

And the Speaker appointed as a committee on the part of the House: Messrs. Solomon, Harrison and Burkhalter.

Also:

By Mr. Hawkins:

H.R. 5. BE IT RESOLVED by the House that a Committee consisting of nine members of the House, one from each Congressional District, be appointed by the Speaker of the House to assign seats to the several members of the House.

On motion of Mr. Hawkins the rules were suspended and H.R. 5 was adopted.

And the Speaker named as the Committee:

- District 1. Hon. J. Emmett Wood of Washington
- District 2. Hon. L. W. Brannan, Jr. of Baldwin
- District 3. Hon. Roberts H. Brown of Lee
- District 4. Hon. Frank Hardy of Dallas
- District 5. Hon. Roy W. McClendon of Chambers
- District 6. Hon. W. L. Martin, Jr. of Greene
- District 7. Hon. W. E. Oden of Franklin
- District 8. Hon. N. L. Reynolds of Madison
- District 9. Hon. J. Paul Meeks of Jefferson

Also:

By Mr. Hawkins:

H.J.R. 6. BE IT RESOLVED by the House of Representatives, the Senate concurring that when the two Houses adjourn today, they adjourn to meet again on Wednesday, January 12, 1955, at 10 o'clock A.M.

AND BE IT FURTHER RESOLVED that the House of Representatives and Senate meet in joint convention in the Hall of the House of Representatives at 10:30 o'clock A.M., January 12, 1955, for the purpose of witnessing the opening and publishing of the returns of the election of executive officers of the State of Alabama at the general election held on November 2, 1954, as required by Section 115 of the Constitution of Alabama.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 6 was adopted.

Also:

By Mr. Hawkins:

H.J.R. 7. BE IT RESOLVED by the House, the Senate concurring, that a joint committee be named consisting of two from the Senate, to be named by the presiding officer of the Senate, and three from the House, to be named by the Speaker of the House, to invite the Governor-elect, the Honorable James E. Folsom, and the Lieutenant-Governor-elect, the Honorable W. Guy Hardwick, to sit with the Legislature at its joint session to receive the Message of the Governor.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 7 was adopted.

And the Speaker appointed as a committee on the part of the House: Messrs. Mathews, Callahan and Johnson of Tallapoosa.

Also:

By Mr. Hawkins:

H.J.R. 8. BE IT RESOLVED by the House of Representatives, the Senate concurring that the Joint Rules of the 1953 Regular Session of

the Legislature be, and they are, hereby adopted as the Joint Rules of this, the Organizational Session, the Regular Session and all extraordinary sessions of this Legislature.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 8 was adopted.

Also:

By Mr. Hawkins:

H.J.R. 9. BE IT RESOLVED by the House of Representatives, the Senate concurring, that the Speaker of the House and the Lieutenant Governor are authorized to appoint from time to time, as the need arises, additional clerks, pages and messengers. At no time shall the number so appointed exceed eight (8) each.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 9 was adopted.

OATH OF OFFICE

THE STATE OF ALABAMA,
DALLAS COUNTY.

I, W. P. Molette do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof, and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter to the best of my ability. So help me God.

W. P. Molette

Sworn to and subscribed before me this 11th day of January, 1955.

Ida O'R. Moore,
Notary Public,
Dallas County, Alabama

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H.J.R. 8 Relative to the adoption of the Joint Rules of the 1953 Regular Session of the Legislature, as the Joint Rules of this quadrennium.

Also:

H.J.R. 6 Relative to the adjournment of the two Houses until Wednesday, January 12, at 10 o'clock A.M., and providing for a Joint Session of the two Houses at 10:30 A.M. for the purpose of witnessing the opening and publishing of the returns of the election of executive officers of the State of Alabama.

Also:

H.J.R. 9 Relative to the appointment of additional clerks, pages and messengers.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution:

H.J.R. 4 Relative to appointing a Committee of the Legislature to notify the Governor that the Legislature is now in Session and ready for the transaction of business, and to ascertain from the Governor if he desires to address a Joint Session of the Legislature.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Boutwell and Roberts.

And returns same herewith to the House.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

I am instructed by the Senate to notify the House that the Senate has perfected its organization by the election of the following officers:

Honorable Broughton Lamberth—President Pro Tempore of the Senate

Honorable R. E. Macon—Assistant Secretary of Senate

Honorable J. W. Hughes—Doorkeeper

Honorable J. H. Weir—Assistant Doorkeeper

And is ready for the transaction of business.

J. E. SPEIGHT,
Secretary

REPORT OF COMMITTEE

The committee heretofore appointed to wait upon the Governor to ascertain if he desired to address a joint session of the Legislature replied that the Governor was confined to his home on account of illness, but that he would like for his executive secretary, Hon. Vernon Merritt, Jr., to read his address for him at 2 o'clock this afternoon.

RECESS

On motion of Mr. Meeks the House recessed until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:00 o'clock P.M. having arrived, the House reconvened.

JOINT SESSION

The hour of two o'clock P.M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the hall of the House of Representatives, in accordance with House Joint Resolution No. 4, for the purpose of hearing an address by His Excellency, Gordon Persons, Governor of the State of Alabama, read by his executive secretary, Hon. Vernon Merritt, Jr.

The joint session was called to order by the Hon. James B. Allen, Lieutenant Governor and Presiding Officer of the Senate.

GOVERNOR'S MESSAGE

Hon. Vernon Merritt, Jr., executive secretary of His Excellency, Gordon Persons, Governor of the State of Alabama, appeared before the joint session and delivered the following:

GENTLEMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES,
LADIES AND GENTLEMEN:

Four years ago the people of Alabama entrusted to me the position of Chief Executive of Alabama. I have worked hard, and have discharged

the duties of my office to the best of my ability. Of course, only history can record the degree of my success.

I remember saying, in my first appearance before the Alabama Legislature, something to this effect: "No man is as bad as his enemies paint him nor as good as his friends think he is." My four years as governor have not given me any reason for changing my mind on this.

As you know, by law the governor is required, at the close of his term, to make a report on the condition of the state. Naturally any man in this position would want to review what he considers to be the accomplishments of his administration—his team. In this, I am no exception.

First, I would like to commend my department heads. These men and women are as fine a group of public servants as have ever served Alabama. During my campaign I pledged to get the best people I could obtain to head the various departments of the state. I think I was very successful in this. Some of them were state career people who had worked for the welfare of Alabama for many years and received deserved promotions. Others were prominent business men who left their positions in private industry to take on the often thankless roles of public servants. For many of them the chief reward has been the satisfaction of a job well done. Whatever progress we have made in Alabama in the past four years has been largely due to the untiring and unselfish efforts of these men and women.

These department heads, the Legislature and I have worked hard to give Alabama honest, progressive and intelligent government.

I would certainly be remiss, and unfair to the state, if I did not here note the splendid cooperation of the Legislature. Without the help of the legislators and without the close coordination that existed between the legislative and executive branches nothing could have been accomplished.

To me the "human" touch has always been important in government. I like to think mine has been a humanitarian administration. We have tried to do the best we could for all citizens, regardless of rank or station. Especially did we try to always remember the unfortunate, the friendless, and those who often, through no fault of their own, could not help themselves.

Certainly, an increase of 50% in payments of old age assistance was humanitarian. No one will say that these old people get too much money.

The \$1,723,000 per year increase this administration obtained for the mentally infirm was certainly humanitarian.

No one would say that \$108,000 per year increase to our School for the Deaf and Blind was not needed.

Wasn't it humanitarian to increase payments to our blind and handicapped through the Welfare Department by 62%?

How about the prison system? Wasn't it humanitarian to improve our prisons and to abolish the lash?

Isn't it humanitarian to provide 18 million dollars per year additional for education? Does anyone think our school teachers are overpaid, even though they were raised an average of \$523 per year?

This administration spent much effort to make your roads and streets safe and to reduce highway killing and traffic accidents. I like to think of this as humanitarian.

When I ran for governor in 1950 I promised to support no additional taxes except for education. We did increase the sales tax from two to three cents and every cent of that was earmarked for education.

On the other hand, we reduced taxes in several instances. We lowered passenger car and pick-up truck tags to \$3. I am proud that we did.

We relieved the farmer of the sales tax on feeds, seeds, fertilizers and other farm supplies. We also removed the tax from caskets and funeral supplies. About a month ago I began to see the wisdom of this reduction!

But to get down to specific figures, the cash balance in the State

Treasury just prior to my administration on October 1, 1950, was \$37,-351,000. On October 1, 1954, the cash balance stood at \$42,884,000. This indicates a very healthy financial condition for Alabama. The increase in cash balance was brought about by effective and economical operations of your state government, and by better economic conditions within the state during this period. Today the net debt of Alabama is \$41,854,000. Our per capita debt ranks among the lowest in the Nation.

Taxes are ever present and never pleasant. The Department of Revenue is charged with the responsibility of collecting the money to operate the state's business. I am glad to report that the cost of operating the Revenue Department and collecting Taxes has steadily declined since 1951. Your Revenue Department has been in good hands.

One of the things I am proudest of is a Joint Resolution passed by the Legislature commending me for carrying out the provisions of the platform upon which I ran for governor. I was humbly grateful to receive this and I say again, without the fine cooperation of the Legislature it would not have been impossible to carry out my promises to the people.

When I took office in 1951 I promised to strengthen the Pardon and Parole system of the state. I am happy to report to you that this has been done. The record shows that paroles have been granted in an orderly manner.

We have heard much about segregation, especially since the U. S. Supreme Court decision last May. I had great pressure on me to call the Legislature into special session in an attempt to circumvent the Supreme Court's ruling. I have never felt that laws passed in haste or under the influence of inflammatory issues could be good laws. Even to this date the highest court has not rendered its final decision. Alabama is not even a party to those segregation suits. I stand on my conviction that no intelligent legislation can be passed on the subject until that subject is clarified and until the Legislature actually knows what it is facing.

All of you are familiar with my actions in Phenix City following the brutal slaying of Albert Patterson shortly after his nomination as Attorney General. I proclaimed limited martial rule. We spared no effort nor expense in breaking the unholy alliance that controlled Phenix City and Russell County. These tentacles were far-reaching and it has not been easy. We had to enlist the aid of prosecutors and judges from other parts of the state. The expense to the state has been great. At times it seemed almost an impossible task. But now I am giving you a completely clean Phenix City. It is my hope that the city and its many fine citizens will now come to a new birth of prosperity as a law abiding and God fearing town with adequate industry and business to support the community. Certainly, Phenix City deserves our help in regaining its feet.

I shall make no specific recommendations to you gentlemen who comprise the new Legislature. My purpose is to give you an accounting of my term in office and to report on the condition of the state as I depart. I will deal only with the record of the four years from January 1951 to January 1955. However, some of the figures I will quote will be on a fiscal year basis. The matters I will take up are not necessarily in the order of their importance.

This is a nation on wheels. During the past four years record strides have been made in highway improvements. Between 1951 and 1955 a total of more than 4200 miles of roads have been paved in Alabama. This is 996 miles more than was ever paved in any previous four year period. Of this total, 917 miles were on main highways and 3284 miles on Farm-to-market roads. We have let 1159 contracts and have spent more than 130 million dollars.

We point with pride to the new bridges built or being built at Gadsden and over the Cahaba, the Alabama, the Coosa and Tallapoosa Rivers. The 3½ million dollar Dauphin Island Bridge and causeway is now under construction and being built in cooperation with Mobile County. We are in the process of 4-laning the Mobile causeway and I am sure that most

of you have seen the 4-lane construction in many parts of the state.

Although we are leaving a sizeable program of uncompleted projects, the Highway Department has funds earmarked and set aside to cover the entire cost of all contracts now in existence. The incoming administration will not be embarrassed by having contracts in existence and no money with which to complete them.

The state can be justly proud of the road building program of the past four years. The Highway Department has been in competent hands. We have tried to maintain a steady balance of construction, building roads where they were needed for all of the people. I believe we have received full value for every dollar spent.

We have provided for the construction and maintenance of highways through cities and towns, and have constructed by-passes around cities where traffic conditions justified it. Many city officials have expressed their gratitude and approval of our efforts. The counties have always had our full cooperation in their Farm-to-Market road programs. The highways you see today speak for themselves.

Probably no matter is more important to all of us gathered here today than education. As you get deeper into your deliberations you will realize this more and more. During my campaign I was dedicated to the improvement of our schools, even to the point of recommending additional taxes.

In 1951 the Legislature provided approximately 18 million dollars a year additional money earmarked for education. The average salary for teachers has been increased by \$523 a year since 1951. This is a 25% increase.

And let me say a word about teacher retirement. Provisions were made for matching teacher contributions and guaranteeing a minimum of \$2.50 a month for each year of service up to 25 years. In 1950 the average retirement pay was \$29 per month. On September 30, 1954, the average retirement pay was \$64.00 a month.

Recently, Alabama teachers voted to come under Social Security in addition to the State Retirement System. This means that 65 year old teachers who have had at least 25 years of service will now get a minimum of \$130 to \$140 per month retirement. This is a long way from the \$29 per month average of 1950.

Appropriations for current expenses of the Educational Department were increased \$3,800,000, or 18%. The increase for capital outlay was 13%. An additional million and a half dollars a year has been provided for transportation facilities. This has made possible the purchase of 500 additional school busses to replace dangerous, worn-out equipment and to relieve overcrowded conditions.

All of our institutions of higher learning were given substantial increases in their appropriations, both in 1951 and 1953. It has permitted them to increase the pay of their instructors and to keep abreast of modern educational developments.

Great progress has been made in education for Alabama's Negro population during the past four years. We now have more than 7760 Negro teachers. Year by year the physical facilities for Negro students have been improved. The Legislature raised the appropriations for both of the State Negro colleges by more than a half million dollars per year.

Since 1951 three new State Trade Schools have been constructed, making a total of six. They now have over one thousand students. They serve the very useful purpose of training workers for our ever-increasing industrial needs. They have played an important part in encouraging industry to move to Alabama. These new industries, of course, have provided additional payrolls and jobs, and in general contributed to the progress of our state.

There is simply no denying that for Alabama to continue to prosper it is essential that we exert every effort to provide the best education possible for our people. Regardless of our natural resources or monetary

wealth, true progress must start in the school room. We cannot place too much emphasis on this.

We were able to launch a program which I believe will be an important link in education. The Alabama Educational Television stations will go on the air within the next ten days. This is largely an unexplored and undeveloped field but Alabama has taken the lead in this progressive educational step. When the present system is completed there will be practically full state coverage. Stations will be located on Cheaha Mountain, in Birmingham and at Andalusia. Other stations are planned for Montgomery and Mobile. I believe the future will prove we were sound in our belief that television has a proper and important place in education at all levels.

I will stand on the record of my administration in welfare and old age assistance. When I took office in 1951 the average monthly welfare payment was \$22.79. In October 1954 the average was \$33.03. This is a 45% increase over 1951. Old age assistance payments have risen from around \$20 a month in 1951 to more than \$30 a month at the present.

In October 1951 consolidation of state, county and city welfare work into central administration at Montgomery made possible an annual saving of \$670,000 to the cities and counties. This amount was formerly spent by them as their part of the welfare program.

The Department of Public Welfare, with the cooperation of City and County governments, has provided for and distributed more than 5 million dollars of food commodities to many areas of the state which were stricken by drought or other disaster.

All welfare employees, county and state, are now under the Merit System. This gives these employees legal and constitutional protection.

The administrative costs of the Welfare Department have been kept to a minimum. More than 90c of every welfare dollar goes directly to the needy.

During these past four years America has reached a stage of military consciousness that the Nation has never known before. The day I was inaugurated all Alabama National Guard units entered the Federal service. I became a commander-in-chief with nothing to command.

In the past four years our National Guard has been completely reorganized. We now have a total of 211 company-sized units with a troop allotment of more than 23,000 men and officers. The Guard is a voluntary organization and to me an example of patriotism at its finest.

I would like to mention our armory construction program. Armories are important as community centers in addition to their military uses. They are often used for public gatherings, dances, services and many other community purposes.

A far-seeing Legislature provided conditional appropriations which have been released by me for armory building during the past four years. These funds, along with federal matching funds, have enabled us to complete 54 new armories in Alabama during the four year period. Thirty-five additional armories have been approved by the National Guard Bureau and will be constructed in the near future. This is a total of 89 armories obtained by this administration. Under the program we receive \$3 of federal money for every one dollar of state funds. We were able to obtain more federal funds during this period because other states did not take advantage of the funds available. As a result, one-fifth of all the armories built in the 48 states and territories since 1951 have been constructed in Alabama. When our scheduled program is completed every Alabama National Guard unit will have a modern armory. This means at least one armory in each county in the state.

The Air National Guard has developed since 1951 from almost nothing to a force of more than 12,000 men and officers. We now have the fifth largest Air National Guard in the United States, and it enjoys a national reputation for progress and training.

There is not a single Alabama county that does not have one or

more National Guard Units. This brings millions of additional dollars into the various communities of the state.

I will not dwell on the unselfish duty performed by the National Guard in Phenix City. The entire state owes a debt of gratitude to these officers and men and also to their employers for allowing them to participate in this great clean-up without risk of losing their jobs.

Now, I would like to enlarge on a subject which I have already touched on briefly—the prisons.

The achievement of my administration which has been most gratifying to me has been the progress of the Department of Corrections and Institutions. The improvements we have made in the prisons have been described by the U. S. Bureau of Prisons as “almost miraculous.”

We have tried to emphasize rehabilitation. Now we don't merely punish, **we reclaim**. We have put in a realistic classification system which enables prison inmates to learn trades for which they are fitted. We have a forward looking program of construction which has included the building of a new prison at Atmore and the installation of better facilities at Kilby, Tutwiler and Draper.

The 1953 Legislature placed this Department under a Board of Corrections. I feel that this Board has done an outstanding job. When the physical and mental well-being of prisoners is considered, and when an honest effort is made to be fair and impartial in a prison, unrest is far less likely to develop. This is reflected in the record of escapes. During the year 1950-51 there were 637 escapes. This past year there were only 200.

Although the pay scale of guards is still too low they have all received substantial increases during this administration. Their work week has been reduced by from 12 to 24 hours.

The Legislature appropriates only a small percentage of the cost of prison operations. Other necessary income is derived from the cotton mill at Kilby, from the Highway Department for prisoners used in maintenance work, from the garment factory at Julia Tutwiler, from the license tag plant at Kilby and from agricultural activities, mainly at Atmore. In addition, the system operates canning plants, a cattle ranch and several small industries to produce items it needs.

It costs more than 4 million dollars to operate Alabama prisons last year. Of this amount only \$525,000 came from the State general funds. The corrections system itself earned over 3½ million dollars.

Another thing I am proud of is the stress which is now being put on the religious activities for the inmates. All of our major prisons have a full time chaplain. A chapel is presently being built at Kilby and money has been earmarked for chapels at Draper and Atmore. The Board has employed one of the outstanding ministers of the state to supervise the religious activities of the entire system.

The medical program of the Corrections system has been greatly improved. A medical director supervises the health program. We have more adequate medical and dental facilities than ever before. We have constructed a new T. B. ward at Kilby which has long been needed.

Alabama can now be proud of one of the Nation's best prison systems.

In connection with the prison system I would like to review the record of the Pardon and Parole Board. During my administration the method of appointing its members was changed. Appointments are now made by the governor from a list of three qualified names submitted by the Lieutenant Governor, the Chief Justice of the Supreme Court and the Presiding Judge of the Court of Appeals.

During my administration the Parole Board has paroled 1813 prisoners. It has granted 138 pardons to prisoners who have been judged rehabilitated. Civil and political rights have been restored to 391 persons who had lost them because of criminal convictions.

Although there are still far too few parole supervisors we were

able to increase the number from 24 to 30. Many more parole supervisors are needed. When a prisoner is returned to society he should be given every encouragement to make his adjustment easier and to increase his chances of being a successful parolee.

Let's look now at the Department of Public Safety. In 1950 Alabama had one of the highest traffic death rates in the Nation. We have tried to reduce this terrible slaughter. We gave the Highway Patrol more cars and increased the number of patrolmen from 188 to 285. In 1951 there were 10 Alabama counties without a full time highway patrolman. Twenty-two other counties had only one man assigned. Today every county in Alabama has at least two full time patrolmen, and our death rate has been sharply reduced.

The 1953 Legislature made it possible for patrolmen to retire at 56 instead of 60 years of age.

We have raised the salary brackets, too, for all Public Safety Department employees. The salaries now compare favorably with those of other states.

Highway Patrolmen are not merely arresting officers. They are also there to help and protect the motoring public. All patrolmen now have been trained to administer first aid as prescribed by the American Red Cross.

Upon my recommendation the 1953 Legislature provided a highway speed limit.

More and better trained patrolmen, the 60 mile per hour speed limit, public education and better roads have all contributed to reducing our highway deaths from 825 in 1951 to 702 in 1954 and this reduction came despite the fact that there are nearly 200,000 more cars on our roads today than there were in 1951.

Alabama is still primarily an agricultural state. Our farms and farmers are the backbone of our economy. For the past four years many sections of our state have suffered from drought. More farmers are thinking in terms of irrigation. Irrigation is costly now, but some way must be found to assure plenty of water for small farmers who cannot afford expensive irrigation systems. While you cannot end drought by legislation, I am sure you gentlemen will give serious thought to surface and sub-surface water rights.

In speaking of drought, we were able, in 1954, to obtain drought relief and federal assistance for more than three-fourths of the counties in the state.

We enacted much progressive farm legislation during my administration. A law was passed requiring all livestock sales markets to be licensed, bonded, and insured to protect the farmer. We have gone a long way towards eliminating preventable diseases in livestock. Extensive immunization programs were undertaken. Special appropriations were obtained to fight insects destructive to farm crops. Alabama now has one of the most modern chemical laboratories in the Nation. This laboratory is used for analyzing food, seeds, fertilizers and insecticides to protect the public.

I would also like to commend the fine work of the Agricultural Extension Service, its county agents and the experiment stations of the State.

In 1951 the State Department of Agriculture had a cash balance of slightly over \$166,000. On October 1, 1954, the cash balance was \$489,000.

Our state need have no fear as long as it has a sound agricultural economy. Certainly it needs to be balanced with industry but we can't get too far away from the soil and prosper.

On paper it would appear that during my administration the state hired a great many additional workers. Actually this is not the case. The Legislature saw fit to turn over to the state all county road construction in three large counties. All of the county road workers thus became

state employees. Also, the Legislature changed the status of all county employees of the Department of Public Welfare so that they too became state employees.

I had promised to give state workers more security in their jobs by making the Merit System a part of the State Constitution. This was passed by the Legislature with my support in 1951 and the people of the state ratified it by an overwhelming majority.

I think in passing it might be well to note that the average salary of state employees has increased more than \$44 per month over the past four years.

Four years ago state workers could look forward to an average monthly retirement check of \$29. Now, since the passage of a better state retirement law and since the approval of social security coverage, state workers who retire at the legal age, and who have been employed for 25 years, will receive a **minimum** of from \$130 to \$140 a month. Compare this with the \$29 in 1950.

Conservation is very important to every Alabamian. I am proud of the fine work the Department of Conservation has done during my term of office. Today there exists a deeper appreciation of conservation than ever before.

We have created a separate division of seafood activities within the Department of Conservation which has proven a wise move. The Gulf coast seafood industry is a big and constantly growing business. It certainly deserves proper attention from the state government.

The game wardens come under the Conservation Department. They are law enforcement officials, and have been placed in uniform and given basic training in all phases of the activities of the department. The result has been improved work and better public relations. They are able to spend more time in building good will and in teaching conservation and respect for our game and fish law and in helping the citizens with their own conservation problems.

In the past four years we have established a good many game management areas to provide hunting for the general public. Arrangements have been made with private land owners for the department to take over sizeable areas of land. These were restocked and set up as supervised public hunting places. This fills a long felt need and has prevented hunting from becoming merely a rich man's sport.

Our state park and recreation facilities have grown greatly in the past four years. Facilities in the older parks have been renovated and refurnished. The State has acquired Joe Wheeler Park in the Tennessee Valley area and has established a Negro park on the Tennessee River.

We have built many new fishing lakes worth many times the cost of construction. I hope eventually every Alabama county can have at least one public lake.

Alabama is one of the major timber producing states of the Nation. Timber is one of our most important agricultural crops. The public has now come to recognize the importance of forests as cover crops, for conserving our soil, in flood control and in maintaining our water resources. The department has professional foresters in every county. We have instituted a reforestation program which promises dividends not only to the land owners but to the entire state as well. We established an additional pine seedling nursery near Atmore. This is the third such in the state. It should enable us to meet the requirement of the timber industry for many years to come. During 1954 the Department of Conservation distributed almost 30 million pine seedlings for reforestation—a new record.

Fire is the ever present menace to the timber grower. We have done our best within our income to prevent fires. This has been especially difficult during the past few drought years, but we were very success-

ful as far as major forest fires were concerned. We now have 223 portable radio units instead of 128 in 1951. We now have 152 lookout towers instead of 128.

I take great pride in what we have done for our mental institutions. Mental illness has been described as Alabama's number one health problem. Almost half of all the hospital beds of the state are set aside for the mentally ill. Certainly we should do all we can for people thus stricken, and should bend every effort toward prevention of mental illness.

With the assistance of the Legislature we have provided better food, better living conditions and better medical care at Bryce, Searcy and Parlow State School for children.

The current building program at the state mental institution will help relieve overcrowded conditions which have existed for years. We now have more than 8,000 mental patients in Alabama. They must have the best treatment possible.

Our appropriations to our mental institutions are on a per patient per week basis. We have increased these payments by 30% since 1951. This is in addition to money granted by the State Building Commission and other sources for additional buildings.

The State Highway Department paved all the drives at the Parlow State School. We have made possible the employment of additional doctors, dentists and other attendants. I have never felt that any money used for this purpose was misspent.

We have placed great emphasis on improving the health of our people. We have obtained greatly increased appropriations for tuberculosis control. Alabama now has a progressive tuberculosis program with adequate funds for all hospitals now in existence. Several new tubercular hospitals are planned for the near future.

The past four years have seen substantial decrease in all of those diseases which can be controlled. Malaria has practically disappeared from the State. T. B. deaths have been cut almost 50% since 1951. Progress has been made in controlling Polio, and Alabama has been a pioneer in this research. Alabama has the lowest venereal disease rate of any state in the South. We increased funds for cancer control work in 1953.

Physical construction has not been neglected by this administration. Recently we completed the New State Office Building which has been solely needed for many years. We also constructed the new Public Health Laboratory, one of the finest in the Nation. Both of these buildings were made possible by a bond issue authorized by the 1951 Legislature.

The state coliseum and Livestock barns were completed in 1953 at an additional expenditure of more than \$1,250,000. The coliseum is a beautiful and unusual structure and one of the finest in America.

The Public Safety Department now has its own building in Montgomery and a number of sub-patrol stations have been erected within the last four years.

The new prison built at Atmore replaced the one burned in 1949. There are presently under construction two \$500,000 dormitories at Bryce Hospital. Additional buildings at Montevallo, the Huntsville A. & M. College for Negroes and the Alabama State College for Negroes in Montgomery. There are many new buildings at the University, Auburn, Montevallo, Jacksonville, Florence, Livingston and Troy which have been built from funds received from the State Building Commission.

The State Industrial Relations Department has just completed four of its most successful years in history.

Payments for the unemployment during this time were substantially increased. The reserve for such payments has risen by 15 million dollars since 1951 and now stands at more than 72 million dollars.

More Alabama employers have used the State Employment Service

than ever before. One of this agency's greatest projects has been the encouragement of the use of handicapped workers. Today more physically handicapped people are employed in Alabama than ever before.

Workmen's compensation payments have increased almost 10% during the past four years.

In 1951 the Legislature established the Alabama State Docks Board and made it responsible for operating the facilities at the great Port of Mobile. The net earnings for the State Docks last year was more than \$1,700,000. During 1954 some 1770 vessels cleared the Port of Mobile, a new record. Since 1951 more than 16 million net tons of cargo have moved through these docks. Business has increased steadily despite reduction in military shipments during the past two years and despite a general nation-wide decline in shipping activities.

Mobile now ranks among the first ten American ports in foreign tonnage handled. All facilities at the Docks, including the Terminal Railway, have been expanded and modernized in keeping with the importance of the Docks to the state. The Docks are important to our economy. They make possible favorable transportation rates for Alabama farm and industrial products. They also provide Alabama a gateway to all the markets of the world, both for imports and exports.

Alabama's Civil Defense Department, created by the 1951 Special Session, compares favorably with any in the Southeast. Of course, civil defense is something like the fire department—it often isn't appreciated until it is actually needed. We have placed emphasis on establishing an attack warning network. We are presently establishing ground observer units and two filter centers to process aircraft information.

The Federal government has allocated to Alabama more than \$240,000 for civil defense for the fiscal year beginning July 1, 1954. This permits cities and state agencies to acquire fire fighting equipment and medical supplies so vital in the event of an attack or catastrophe.

I greatly appreciate the confidence industry has shown in this administration. It has displayed its confidence by moving into the state at an increasing rate. Before industry is willing to make investments of millions of dollars there must be a healthy political climate.

During the past four years more industrial plants have come to Alabama than ever before. They furnish employment to many thousands of our citizens and the annual payrolls run into many millions of dollars. These industries are located in all parts of the state and contribute to the economic health of the areas in which they are located.

I have always felt that our tax structure should not be such as to discourage industry from the state. Alabama has so many natural advantages for industrial expansion, such a wealth of natural resources and such a fine supply of intelligent labor, that we cannot help but expand industrially so long as industry is treated fairly by local and state governments.

And naturally, speaking of industry brings to my mind the Department of Labor. It was established to serve as a mediation agency between labor and management. In these relationships Alabama has been particularly fortunate. Many times disagreements can be settled before they become serious. The Labor Department attempts to act as a go-between as early as possible in labor-management differences which threaten to develop into strikes.

In the past four years the State Labor Department has served in 1308 cases. Only about 10% of these developed into strikes. This is the lowest percentage of strikes in the recent history of the state and both labor and management have benefited greatly.

During the Korean conflict the Department of Veterans Affairs became increasingly important. This department exists to provide service for veterans and their kin. There are more than 400,000 veterans of all wars now living in Alabama. The services rendered by the Department of Veterans Affairs are varied and important. It has an office in each

county. These offices furnish GI's, or their survivors, assistance in filing claims for insurance, pensions, hospitalization and other compensations. During the fiscal year ending September 30, 1954, this department performed almost 300,000 services to veterans. It was instrumental in helping them obtain more than 300 million dollars in veteran benefits.

In the past four years Alabama has furnished thousands of young men and women to the Armed Forces. They have served honorably, faithfully and unselfishly. Alabama certainly owes them a debt of gratitude.

The net profits of the Alabama Alcoholic Beverage Control Board for the period of January 1, 1951, through September 30, 1954, amounted to more than 45 million dollars. This money is distributed to municipalities, to county general funds, to the counties for public health, to the State Department of Public Welfare, and to the state general fund. In the fiscal year 1953-54 more than one million dollars went both to the Welfare Department and to the counties. Municipalities received more than 2 million dollars that year.

The ABC Board has acquired, on a lease basis, a modern warehouse which gives adequate storage space, provides good working conditions and materially reduces interest rates.

The ABC Board's enforcement division is faced with an ever growing problem, especially in dry counties. As the price of legal alcoholic beverages rises the production of illegal liquors increases. Increased prices are due in large part to higher federal taxes.

In 1951 the Legislature set up \$50,000 a year for advertising through the Bureau of Publicity and Information which it established. This has been wisely spent and has resulted in increased tourist traffic. In addition, the Bureau of Publicity has served Alabama newspapers and radio stations with weekly news letters, mats and general information.

Business men all over Alabama have applauded the legislative action in creating a new department of Insurance. This department now includes the Bureau of Insurance, The Bureau of Rates, and the State Fire Marshal.

Since 1951 the revenues collected by the Insurance Department have almost doubled. And, very important, there has not been a failure of an insurance company in Alabama during this administration.

The Commerce Department is responsible for the examination and registration of state banks, loan companies, building and loan associations and credit unions. There are now 160 state banks in Alabama with total resources of some 400 million dollars.

The accomplishments that I have reviewed above have all been made with no increase taxation except the additional 1% sales tax which was earmarked for education.

Now, before I leave you, please allow me to make one observation. Many of my friends have not understood why I have not traveled around the state making a great number of speeches. When I was inaugurated four years ago I took a solemn oath to perform the duties of my office to the best of my ability. I have tried honestly to do this. I speak for no other governor, past or future. But for myself I found the duties of being governor such that I had to devote most of my time to the office in order to do what I thought was my best. Others may not find the office so exacting but to me it has been a confining job.

I want to see Alabama continue to progress. One segment of our society cannot go forward at the expense of another. We cannot afford to neglect schools while building roads. We cannot afford to neglect our farmers while building industry. We cannot afford to neglect our needy and mentally ill while trying to build a sound conservation program. Progress must be a continuous thing and not like delivering a basket to a poor family at Christmas and promptly forgetting them for the next whole year.

As I retire from office I do so with a feeling of pride in our accomplishments, gratitude to my friends, faith in Alabama and high hope for the future.

I will always stand ready to be of service to Alabama in any way as a private citizen.

May God bless you and guide you in your coming deliberations.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished, the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

ANNOUNCEMENT OF STANDING COMMITTEES OF THE HOUSE

The Speaker of the House announced the appointment of the following Standing Committees of the House:

RULES

Fite, Chairman
Hawkins, Vice Chairman
Brassell, Russell County
Kelly, Winston County
Mathison, Henry County
Burkhalter, Cherokee County
Nice, Jefferson County
Tyson, Mobile County

Brown, Lamar County
Gregory, Blount County
Speaks, Chilton County
Albea, Calhoun County
Callahan, Tuscaloosa County
Nolen, Montgomery County
Oden, Franklin County

EDUCATION

Summerlin, Chairman
Nolen, Vice Chairman
Harvey, Sumter County
Gist, Jackson County
Hunt, Chambers County
Solomon, Henry County
Roberts, Madison County
Dement, Limestone County

Edwards, Escambia County
Richardson, Hale County
Law, Elmore County
Locke, Perry County
Pruitt, Sumter County
Taylor, Butler County
Hall, Montgomery County

PUBLIC WELFARE

Kelly, Chairman
Adams, Vice Chairman
Gist, Jackson County
Hunt, Chambers County
Steagall, Dale County
Bagley, Calhoun County
Thomas, Barbour County
Huddleston, Colbert County

Love, Covington County
Johnson, Elmore County
Faulk, Geneva County
Money, Jackson County
Haltom, Lauderdale County
Dickson, Lowndes County
Gilchrist, Morgan County

AGRICULTURE

Solomon, Chairman
Lee, (Barbour County), Vice
Chairman
Harvey, Sumter County
Windle, Pickens County
Reynolds, Madison County
Love, Covington County
Pirkle, Cleburne County

Bagley, Calhoun County
Broadfoot, Lauderdale County
Brooks, Lowndes County
Rogers, Macon County
Kendall, Conecuh County
Hall, Montgomery County
Gilchrist, Morgan County
Lee, Lawrence County

BUSINESS AND LABOR

Oden, Chairman
 Mathison, Vice Chairman
 McKay, Talladega County
 Albea, Calhoun County
 Hanby, Etowah County
 Locke, Choctaw County
 Martin, Greene County
 Nice, Jefferson County

Reynolds, Madison County
 Stokes, Coffee County
 Stembridge, Houston County
 Payne, Talladega County
 Richardson, Hale County
 Brewer, Morgan County
 Nettles, Wilcox County

CONSERVATION

Wood, Chairman
 Davis, Vice Chairman
 Summerlin, Crenshaw County
 Johnson, Tallapoosa County
 Brannan, Baldwin County
 Kaul, Jefferson County
 McLendon, Bullock County
 Simon, Mobile County

Edwards, Jefferson County
 Kirkham, Marengo County
 Lackey, Jefferson County
 Windle, Pickens County
 Bassett, Pike County
 Broadfoot, Lauderdale County
 Brooks, Lowndes County

WAYS AND MEANS

Hawkins, Chairman
 Dawkins, Vice Chairman
 Mathews, Clay County
 Brown, Lamar County
 Martin, Greene County
 Davis, Cullman County
 deGraffenried, Tuscaloosa County
 Ward, Lee County

Simon, Mobile County
 Meeks, Jefferson County
 Branyon, Fayette County
 Dement, Limestone County
 Stembridge, Houston County
 Lee, Barbour County
 Ramey, Hale County

LOCAL LEGISLATION I

Murphy, Chairman
 Bassett, Vice Chairman
 Nettles, Wilcox County
 Pruitt, Sumter County
 Ashworth, Bibb County
 Crook, Bullock County
 Killough, Butler County
 Faulk, Geneva County

Dickson, Lowndes County
 Holliman, Marengo County
 Cornett, Russell County
 Molette, Dallas County
 McClendon, Chambers County
 DeSear, Perry County
 Gregory, Blount County

LOCAL LEGISLATION II

Paul Meeks, Chairman
 Rufus Lackey, Vice Chairman
 J. K. (Jess) Edwards
 Hugh Kaul

Charles Nice, Jr.
 Walter Emmett Perry, Jr.
 Paschal P. "Pat" Vacca

JUDICIARY

Brassell, Chairman
 Callahan, Vice Chairman
 Selman, Walker County
 Hare, Monroe County
 Mathews, Clay County
 Huddleston, Colbert County
 Murphy, Mobile County
 Brown, Lee County

Harrison, Shelby County
 Goodwyn, Montgomery County
 Steagall, Dale County
 Vacca, Jefferson County
 Hanby, Etowah County
 Speaks, Chilton County
 Hodges, St. Clair County

CONSTITUTIONS AND ELECTIONS

Branyon, Chairman
 Burkhalter, Vice Chairman
 Oden, Franklin County
 Davis, Cullman County
 Ramey, Hale County
 Gregory, Blount County
 Cox, Marshall County
 Lee, Lawrence County

Law, Elmore County
 Pirkle, Cleburne County
 Shumate, Walker County
 Kendall, Conecuh County
 Ferrell, DeKalb County
 Hare, Monroe County
 Franklin, Coosa County

LOCAL GOVERNMENT

Adams, Chairman
 Vacca, Vice Chairman
 Brannan, Baldwin County
 Grouby, Autauga County
 Kaul, Jefferson County
 Hodges, St. Clair County
 McLendon, Bullock County
 Locke, Choctaw County

Jenkins, Randolph County
 Franklin, Coosa County
 Harrison, Shelby County
 Tyson, Mobile County
 Dawkins, Montgomery County
 McKay, Talladega County
 deGraffenried, Tuscaloosa County

STATE ADMINISTRATION

Grouby, Chairman
 Payne, Vice Chairman
 Shumate, Walker County
 Wood, Washington County
 Jenkins, Randolph County
 Cox, Marshall County
 Rogers, Macon County
 Ward, Lee County

Holliman, Marengo County
 McNider, Clarke County
 Killough, Butler County
 Bradford, Clarke County
 Ashworth, Bibb County
 Hardy, Dallas County
 Oakley, Wilcox County

HEALTH

Lackey, Chairman
 Thomas, Vice Chairman
 Edwards, Jefferson County
 Locke, Perry County
 Roberts, Madison County
 McClendon, Chambers County
 McNider, Clarke County
 Stokes, Coffee County

Hain, Dallas County
 Johnson, Elmore County
 Edwards, Escambia County
 Brewer, Morgan County
 DeSear, Perry County
 Boyd, Pike County
 Cornett, Russell County

TRANSPORTATION

Brown (Lee County), Chairman
 Meeks, Vice Chairman
 Oakley, Wilcox County
 Haltom, Lauderdale County
 Perry, Jefferson County
 Hardy, Dallas County
 Money, Jackson County
 Ferrell, DeKalb County

Crook, Bullock County
 Taylor, Butler County
 Bradford, Clarke County
 Boyd, Pike County
 Johnson, Tallapoosa County
 Selman, Walker County
 Goodwyn, Montgomery County

MESSAGE FROM THE GOVERNOR

To the Speaker of the House of Representatives

State Capitol
 Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

VERNON MERRITT, JR.,
Secretary to the Governor.

January 11, 1955

To the Speaker of the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith deliver to you the certificates of the Board of Supervisors of each of the counties in the State as to the election for Governor, Lieutenant Governor, Attorney General, State Auditor, Secretary of State, State Treasurer, Superintendent of Education, and Commissioner of Agriculture and Industries, same having been forwarded to me for delivery to you as provided by law.

Respectfully,

GORDON PERSONS,
Governor.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution to-wit:

H. J. R. 9. Relative to the appointment from time to time as the need arises, of additional clerks, pages and messengers.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

ADJOURNMENT

On motion of Mr. Hawkins the House adjourned until Wednesday, January 12, 1955, at ten o'clock A.M.

SECOND DAY

House of Representatives
Montgomery, Alabama
Wednesday, January 12, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Henry A. Parker, Pastor, First Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Edwards (Jefferson)	Killough	Payne
Adams	Faulk	Kirkham	Perry
Albea	Ferrell	Lackey	Pirkle
Ashworth	Franklin	Law	Pruitt
Bagley	Gist	Lee (Barbour)	Ramey
Bassett	Goodwyn	Lee (Lawrence)	Reynolds
Boyd	Gregory	Locke (Choctaw)	Richardson
Bradford	Grouby	Locke (Perry)	Roberts
Brannan	Hall	Love	Rodgers
Branyon	Haltom	McClendon	Selman
Brassell	Hanby	McKay	Shumate
Brewer	Hare	McLendon	Simon
Broadfoot	Harrison	McNider	Solomon
Brooks	Harvey	Martin	Speaks
Brown (Lamar)	Hawkins	Mathews	Steagall
Brown (Lee)	Hodges	Mathison	Stembridge
Burkhalter	Holliman	Meeks	Stokes
Callahan	Huddleston	Molette	Summerlin
Cornett	Hunt	Money	Taylor
Davis	Jenkins	Murphy	Thomas
Dawkins	Johnson (Elmore)	Nettles	Tyson
deGraffenried	Johnson (Tallapoosa)	Nice	Vacca
Dement	Kaul	Nolen	Ward
DeSear	Kelly	Oakley	Windle
Dickson	Kendall	Oden	Wood
Edwards (Escambia)			

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the first legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the first legislative day was approved.

JOINT SESSION

The hour of 10:30 o'clock A.M., having arrived and in accordance with H.J.R. 6, the Legislature of Alabama met in joint session in the Hall of the House of Representatives to witness the opening of the returns and the counting, ascertaining, and proclaiming the results of the votes cast for constitutional officers of the State of Alabama at the election held on the first Tuesday after the first Monday in November, 1954,

being the 2nd day of November, in the year of Our Lord, One Thousand Nine Hundred Fifty-Four.

The joint convention was called to order by Hon. James B. Allen, Lieutenant-Governor and President of the Senate, who directed the Secretary of the Senate to call the roll of the Senate when the following Senators answered to their names:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Little	Smith
Calvin	Flowers	Metcalf	Tate
Cantrell	Givhan	Moses	Van Antwerp
Cooper	Goodwin	Newton	Vann
Coleman	Grisham	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)

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A quorum of the Senate of Alabama was present.

The Speaker of the House then directed the Clerk of the House to call the roll of the House of Representatives when the following members answered to their names:

Mr. Speaker	Edwards (Escambia)	Kelly	Oakley
Adams	Edwards (Jefferson)	Kendall	Oden
Albea	Faulk	Killough	Payne
Ashworth	Ferrell	Kirkham	Perry
Bagley	Franklin	Lackey	Pirkle
Bassett	Gist	Law	Ramey
Boyd	Goodwyn	Lee (Barbour)	Reynolds
Bradford	Gregory	Lee (Lawrence)	Richardson
Branyon	Grouby	Locke (Choctaw)	Roberts
Brassell	Hall	Locke (Perry)	Selman
Brewer	Haltom	Love	Shumate
Broadfoot	Hanby	McClendon	Simon
Brooks	Hare	McKay	Solomon
Brown (Lamar)	Harrison	McLendon	Speaks
Brown (Lee)	Harvey	McNider	Steagall
Burkhalter	Hawkins	Martin	Stembridge
Callahan	Hodges	Mathews	Stokes
Cornett	Holliman	Mathison	Summerlin
Davis	Huddleston	Meeks	Taylor
Dawkins	Hunt	Money	Vacca
deGraffenried	Jenkins	Murphy	Ward
Dement	Johnson (Elmore)	Nettles	Windle
DeSear	Johnson (Tallapoosa)	Nice	Wood
Dickson	Kaul	Nolen	

—95

A quorum of the House of Representatives was present.

The Lieutenant-Governor and President of the Senate then announced that there was a quorum of the Legislature of Alabama present, and that the purpose of the joint session was to open the returns, count, ascertain, and proclaim the result of the election held on the first Tuesday after the first Monday in November, 1954, being on the 2nd day of November, 1954, for constitutional officers of the State of Alabama.

The Speaker of the House of Representatives then proceeded to open and publish in the presence of the Legislature of Alabama and in

the presence of a majority of the members of the Legislature of Alabama, in joint session assembled, the returns of the election held on the first Tuesday after the first Monday in November, 1954, being the 2nd day of November, 1954, for constitutional officers of the State of Alabama, to-wit: For Governor, Lieutenant-Governor, Attorney General, State Auditor, Secretary of State, State Treasurer, Superintendent of Education, and Commissioner of Agriculture and Industries.

RESULT OF ELECTION

The Speaker of the House proclaimed the result of the election as follows:

ORGANIZATIONAL SESSION

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COUNTIES		Democrat Governor J. E. (Big Jim) Folsom	Democrat (Write-in) Governor Jack Owen	Republican Governor Tom Abernethy	Democrat Lieutenant Governor W. G. Hardwick	Republican Governor William E. Brooks, Jr.	(Write-in) Lieutenant Governor H. E. Kennedy
1	Autauga	1,395		437	1,418	217	
2	Baldwin	3,490		1,720	3,734	1,095	
3	Barbour	2,162		268	2,224	85	
4	Bibb	1,634		358	1,673	201	
5	Blount	3,237		1,048	3,113	728	
6	Bullock	1,053		314	1,147	49	
7	Butler	2,581		766	2,633	343	
8	Calhoun	5,561		1,756	5,627	866	
9	Chambers	3,397		725	3,605	249	
10	Cherokee	1,816		224	1,785	157	
11	Chilton	3,578		2,323	3,553	1,741	
12	Choctaw	1,251		41	1,239	14	
13	Clarke	2,033		352	1,950	119	3
14	Clay	1,865		479	1,786	364	
15	Cleburne	1,184		279	1,111	212	
16	Coffee	3,847		145	3,773	68	
17	Colbert	4,347		657	4,283	408	
18	Conecuh	1,719		254	1,743	117	
19	Coosa	1,677		327	1,655	210	
20	Covington	4,292		669	4,269	324	
21	Crenshaw	3,932		205	3,039	54	
22	Cullman	6,295		1,942	5,955	1,753	
23	Dale	1,902		317	1,957	130	
24	Dallas	2,085		1,453	2,852	402	
25	DeKalb	8,248		5,995	7,205	5,737	
26	Elmore	4,412		674	4,534	317	
27	Escambia	3,080		305	2,973	272	
28	Etowah	9,670		3,177	9,687	1,991	
29	Fayette	2,426		687	2,184	501	
30	Franklin	3,885		1,994	3,475	1,849	
31	Geneva	2,213		144	2,180	93	
32	Greene	669		138	736	48	
33	Hale	955		466	1,137	162	
34	Henry	1,419		176	1,454	70	
35	Houston	2,618		769	2,744	284	
36	Jackson	3,305		434	3,219	374	
37	Jefferson	28,905		22,420	36,271	13,316	
38	Lamar	1,855		216	1,786	135	
39	Lauderdale	5,511		938	5,494	576	
40	Lawrence	1,976		423	1,911	304	
41	Lee	2,291		680	2,539	275	
42	Limestone	2,988		244	2,926	94	
43	Lowndes	731		277	811	116	
44	Macon	1,272		257	1,318	96	
45	Madison	4,987		881	4,979	479	
46	Marengo	1,371		430	1,545	174	

COUNTIES		Democrat Governor J. E. (Big Jim) Folsom	Democrat (Write-in) Governor Jack Owen	Republican Governor Tom Abernethy	Democrat Lieutenant Governor W. G. Hardwick	Republican Governor Lieutenant Governor William E. Brooks, Jr.	(Write-in) Lieutenant Governor H. E. Kennedy
47	Marion	2,909	.....	522	2,680	473	.....
48	Marshall	5,587	.....	948	5,426	767	.....
49	Mobile	14,382	.....	8,257	16,038	3,340	.....
50	Monroe	1,777	.....	220	1,827	103	.....
51	Montgomery	6,831	.....	3,856	7,954	1,758	.....
52	Morgan	5,750	.....	1,237	5,971	610	.....
53	Perry	850	.....	304	1,052	107	.....
54	Pickens	1,603	.....	364	1,635	142	.....
55	Pike	2,324	.....	398	2,447	103	.....
56	Randolph	3,555	.....	714	3,133	531	.....
57	Russell	2,564	.....	556	2,571	177	.....
58	St. Clair	2,930	.....	1,156	2,867	886	.....
59	Shelby	2,603	.....	1,275	2,713	938	.....
60	Sumter	824	.....	283	984	84	.....
61	Talladega	5,437	1	2,585	6,028	1,416	.....
62	Tallapoosa	4,983	.....	486	5,051	224	.....
63	Tuscaloosa	5,556	.....	2,179	5,927	1,117	.....
64	Walker	7,639	.....	1,925	7,200	1,704	.....
65	Washington	1,671	.....	215	1,708	83	.....
66	Wilcox	864	.....	343	1,037	138	.....
67	Winston	2,642	.....	2,081	1,759	1,810	.....
		244,401	1	88,688	253,240	53,680	3

ORGANIZATIONAL SESSION

33

COUNTIES	(Write-in) Attorney General J. E. Adams, Sr.	Democrat Attorney General John Patterson	(Write-in) Attorney General E. Homer Brooks	Republican Attorney General Max J. Howard	(Write-in) Attorney General H. A. Ferrell	Democrat State Auditor Mrs. Agnes Baggett
1 Autauga		1,592		138		1,541
2 Baldwin		4,173		810		3,981
3 Barbour		2,250		154		2,225
4 Bibb		1,752		160		1,710
5 Blount		3,288		648		3,127
6 Bullock		1,264		37		1,205
7 Butler		2,845		207		2,742
8 Calhoun		5,993		721		5,681
9 Chambers		3,887		178		3,638
10 Cherokee		1,820		150		1,788
11 Chilton		4,017		1,532		3,673
12 Choctaw		1,253		11		1,238
13 Clarke	11	2,060		68		2,046
14 Clay		1,804		330		1,790
15 Cleburne		1,164		200		1,120
16 Coffee		3,831		61		3,779
17 Colbert		4,465		353		4,227
18 Conecuh		1,813	4	77		1,757
19 Coosa		1,741		183		1,669
20 Covington		4,336		242		4,294
21 Crenshaw		3,306		35		3,142
22 Cullman		6,156		1,536		5,904
23 Dale		2,022		108		1,955
24 Dallas		3,309		173		3,220
25 DeKalb		7,507		5,922		7,363
26 Elmore		4,654		269		4,608
27 Escambia		3,119		140		3,069
28 Etowah		10,286		1,763		9,651
29 Fayette		2,340		457		2,200
30 Franklin		3,660		1,811		3,460
31 Geneva		2,180		91		2,150
32 Greene		779		28		751
33 Hale		1,291		184		1,232
34 Henry		1,453		56		1,432
35 Houston		2,584		252		2,479
36 Jackson		3,275		352		3,205
37 Jefferson		39,893	1	10,639		38,420
38 Lamar		1,871		110		1,819
39 Lauderdale		5,801		470		5,650
40 Lawrence		2,026		283		1,981
41 Lee		2,793		161		2,657
42 Limestone		3,057		53		2,955
43 Lowndes		887		67		859
44 Macon		1,413		67		1,362
45 Madison		5,234		385		5,049
46 Marengo		1,593		75		1,640

COUNTIES		(Write-in) Attorney General J. E. Adams, Sr.	Democrat Attorney General John Patterson	(Write-in) Attorney General E. Homer Brooks	Republican Attorney General Max J. Howard	(Write-in) Attorney General H. A. Ferrell	Democrat State Auditor Mrs. Agnes Baggett
47	Marion		2,746		431		2,687
48	Marshall		5,614		686		5,502
49	Mobile		17,580		2,552		16,833
50	Monroe		1,904	1	58		1,873
51	Montgomery		8,489		1,363		8,538
52	Morgan		6,245		512		6,032
53	Perry		1,140		54		986
54	Pickens		1,757		104		1,678
55	Pike		2,517		79		2,480
56	Randolph		3,378		491		3,195
57	Russell		2,661	5	281	1	2,626
58	St. Clair		3,018		819		2,858
59	Shelby		2,912		796		2,751
60	Sumter		1,050		44		1,022
61	Talladega		6,597		992		6,276
62	Tallapoosa		5,203		166		5,094
63	Tuscaloosa		6,426		808		6,114
64	Walker		7,576		1,557		7,376
65	Washington		1,718		44		1,713
66	Wilcox		1,138		72		1,113
67	Winston		1,934		1,759		1,788
		11	269,442	11	45,415	1	259,979

ORGANIZATIONAL SESSION

35

COUNTIES	Republican State Auditor Reuben Dollar	Democrat Secretary of State Mary Texas Hurt	Republican Secretary of State Mrs. Kathleen Harvey Putman	Democrat State Treasurer John Brandon	Republican State Treasurer Mrs. Margrett E. Isbell Rainey	Democrat Supt. of Education Austin R. Meadows
1 Autauga	157	1,537	157	1,518	156	1,536
2 Baldwin	870	4,046	861	3,964	864	4,022
3 Barbour	73	2,218	72	2,258	75	2,332
4 Bibb	178	1,700	175	1,674	171	1,686
5 Blount	681	3,213	667	3,095	658	3,227
6 Bullock	38	1,225	40	1,194	42	1,202
7 Butler	226	2,752	223	2,719	237	2,746
8 Calhoun	875	5,765	765	5,703	782	5,812
9 Chambers	212	3,746	206	3,654	222	3,707
10 Cherokee	145	1,805	148	1,796	151	1,808
11 Chilton	1,611	3,768	1,568	3,670	1,597	3,739
12 Choctaw	14	1,257	10	1,248	11	1,257
13 Clarke	69	2,044	84	2,026	98	2,052
14 Clay	339	1,813	336	1,782	338	1,814
15 Cleburne	205	1,129	206	1,123	202	1,126
16 Coffee	68	3,795	62	3,784	67	3,799
17 Colbert	360	4,444	374	4,309	371	4,439
18 Conecuh	85	1,772	79	1,754	84	1,751
19 Coosa	193	1,706	187	1,673	183	1,722
20 Covington	247	4,361	251	4,329	260	4,365
21 Crenshaw	34	3,141	31	3,056	34	3,168
22 Cullman	1,700	6,036	1,630	5,941	1,649	6,069
23 Dale	121	1,960	117	1,930	116	1,952
24 Dallas	186	3,180	213	3,189	198	3,210
25 DeKalb	5,640	7,570	5,601	7,344	5,696	7,496
26 Elmore	262	4,600	272	4,602	274	4,669
27 Escambia	142	3,054	149	3,070	147	3,070
28 Etowah	1,912	9,932	1,853	9,620	2,023	9,932
29 Fayette	485	2,248	468	2,208	465	2,267
30 Franklin	1,845	3,528	1,817	3,473	1,811	3,517
31 Geneva	92	2,167	92	2,151	94	2,162
32 Greene	40	754	43	754	38	754
33 Hale	91	1,226	105	1,220	88	1,189
34 Henry	57	1,435	60	1,414	64	1,430
35 Houston	272	2,503	267	2,464	266	2,532
36 Jackson	369	3,310	351	3,209	369	3,109
37 Jefferson	11,459	38,735	11,566	38,667	11,380	39,069
38 Lamar	121	1,825	110	1,818	112	1,838
39 Lauderdale	510	5,776	486	5,645	496	5,719
40 Lawrence	286	2,012	295	1,965	284	1,996
41 Lee	190	2,664	189	2,624	203	2,671
42 Limestone	67	3,017	61	2,975	56	3,020
43 Lowndes	75	844	85	831	79	849
44 Macon	71	1,351	84	1,337	76	1,370
45 Madison	388	5,258	393	5,013	454	5,234
46 Marengo	91	1,635	108	1,643	87	1,650

ORGANIZATIONAL SESSION

COUNTIES		Republican State Auditor Reuben Dollar	Democrat Secretary of State Mary Texas Hurt	Republican Secretary of State Mrs. Kathleen Harvey Putman	Democrat State Treasurer John Brandon	Republican State Treasurer Mrs. Margaret E. Isbell Rainey	Democrat Supt. of Education Austin R. Meadows
47	Marion	451	2,708	439	2,684	427	2,715
48	Marshall	715	5,670	709	5,404	905	5,592
49	Mobile	2,658	17,209	2,680	16,936	2,735	16,914
50	Monroe	69	1,868	69	1,857	59	1,861
51	Montgomery ..	1,360	8,380	1,456	8,281	1,503	8,367
52	Morgan	548	6,090	552	6,019	583	6,130
53	Perry	72	1,098	78	982	63	1,119
54	Pickens	123	1,684	130	1,698	114	1,706
55	Pike	75	2,476	85	2,464	85	2,475
56	Randolph	526	3,256	511	3,192	514	3,262
57	Russell	105	2,680	109	2,652	100	2,692
58	Shelby	856	2,972	840	2,863	848	2,926
59	St. Clair	836	2,814	820	2,764	840	2,771
60	Sumter	57	1,011	69	1,038	47	1,035
61	Talladega	1,116	6,441	1,169	6,217	1,197	6,395
62	Tallapoosa	189	5,109	189	4,872	190	5,136
63	Tuscaloosa	874	6,284	851	6,157	910	6,316
64	Walker	1,659	7,470	1,619	7,379	1,622	7,449
65	Washington	55	1,727	59	1,708	58	1,654
66	Wilcox	79	1,100	88	1,099	78	1,088
67	Winston	2,091	1,862	1,777	1,784	1,812	1,869
		47,666	263,766	47,216	259,486	47,818	263,556

ORGANIZATIONAL SESSION

37

COUNTIES		Republican Supt. of Education Fred Allen	Democrat Commissioner Agri. & Ind. A. W. Todd	Republican Commissioner Agri. & Ind. O. H. Aycock	(Write-in) Commissioner Agri. & Ind. Red Bamberg
1	Autauga	166	1,477	181	
2	Baldwin	857	3,873	918	
3	Barbour	70	2,206	84	
4	Bibb	188	1,650	207	
5	Blount	693	3,123	675	
6	Bullock	53	1,177	60	
7	Butler	260	2,655	279	
8	Calhoun	804	5,610	799	
9	Chambers	217	3,616	218	
10	Cherokee	153	1,779	155	
11	Chilton	1,672	3,553	1,617	
12	Choctaw	10	1,243	10	
13	Clarke	87	1,996	91	
14	Clay	353	1,771	337	
15	Cleburne	211	1,121	199	
16	Coffee	65	3,765	71	
17	Colbert	362	4,145	545	
18	Conecuh	89	1,734	92	
19	Coosa	189	1,655	200	
20	Covington	263	4,274	266	
21	Crenshaw	40	2,990	42	
22	Cullman	1,715	5,873	1,685	
23	Dale	128	1,932	124	
24	Dallas	219	2,822	403	
25	DeKalb	5,719	7,329	5,639	
26	Elmore	263	4,531	311	
27	Escambia	159	3,029	159	
28	Etowah	1,905	9,642	1,878	
29	Fayette	475	2,182	487	
30	Franklin	1,847	3,851	1,923	
31	Geneva	95	2,138	97	
32	Greene	43	732	52	2
33	Hale	122	1,137	163	
34	Henry	65	1,406	65	
35	Houston	281	2,439	269	
36	Jackson	367	3,189	375	
37	Jefferson	11,246	37,428	12,482	
38	Lamar	121	1,793	118	
39	Lauderdale	510	5,557	601	
40	Lawrence	291	1,948	312	
41	Lee	195	2,573	245	
42	Limestone	66	2,954	78	
43	Lowndes	99	813	101	
44	Macon	89	1,304	88	
45	Madison	430	5,103	426	
46	Marengo	96	1,566	142	

COUNTIES		Republican Supt. of Education Fred Allen	Democrat Commissioner Agri. & Ind. A. W. Todd	Republican Commissioner Agri. & Ind. Red Bamberg O. H. Aycock	(Write-in) Commissioner Agri. & Ind.
47	Marion	455	2,671	458	
48	Marshall	727	5,481	721	
49	Mobile	2,760	16,445	2,829	
50	Monroe	69	1,837	77	
51	Montgomery	1,526	8,025	1,606	
52	Morgan	633	5,948	579	
53	Perry	79	1,036	109	
54	Pickens	121	1,643	142	
55	Pike	87	2,449	79	
56	Randolph	528	3,163	523	
57	Russell	104	2,601	140	
58	St. Clair	850	2,817	851	
59	Shelby	904	2,662	851	
60	Sumter	54	974	100	
61	Talladega	1,120	6,144	1,203	5
62	Tallapoosa	198	5,045	210	
63	Tuscaloosa	893	6,016	945	
64	Walker	1,651	7,276	1,654	
65	Washington	74	1,677	73	
66	Wilcox	101	1,029	148	
67	Winston	1,847	1,779	1,812	
		48,129	255,402	50,379	7

The Speaker of the House, Hon. Rankin Fite, then declared that Hon. James E. Folsom, W. Guy Hardwick, John M. Patterson, Mrs. Agnes Baggett, Miss Mary Texas Hurt, John Brandon, Austin R. Meadows, Arnel W. Todd, were duly and constitutionally elected to the office of Governor, Lieutenant-Governor, Attorney General, State Auditor, Secretary of State, State Treasurer, Superintendent of Education, and Commissioner of Agriculture and Industries, respectively, for the term prescribed by law.

The purpose of the joint session having been accomplished, the Senate retired to its Chamber.

The Speaker of the House then called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration. By Mr. Lamberth:

S.J.R. 2. RESOLVED by the Senate, the House concurring, that when the Legislature adjourns today it adjourn to meet again on Tuesday, January 18th, 1955, at 10 A.M.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 2 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution, and sends same herewith to the House for its consideration:
By Mr. Van Antwerp:

S.J.R. 4. RESOLVED by the Senate, the House concurring, that each member of the Legislature and the Lieutenant Governor shall be allowed and entitled to Ten Dollars per day for expense in addition to that now allowed for expenses.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Dawkins the rules were suspended and the House concurred in and adopted the S.J.R. 4 set out in the above and foregoing Message from the Senate.

ADJOURNMENT

On motion of Mr. Hawkins the House adjourned until Tuesday, January 18, 1955, at ten o'clock A.M.

EIGHTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, January 18, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Lieutenant H. Ralph Ashby, Assistant Officer, Salvation Army, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Brooks	Dickson	Haltom
Adams	Brown (Lamar)	Edwards (Escambia)	Hanby
Albea	Brown (Lee)	Edwards (Jefferson)	Hardy
Ashworth	Burkhalter	Faulk	Hare
Bagley	Callahan	Ferrell	Harrison
Bassett	Cornett	Franklin	Harvey
Boyd	Cox	Gilchrist	Hawkins
Bradford	Crook	Gist	Hodges
Brannan	Davis	Goodwyn	Holliman
Branyon	Dawkins	Gregory	Huddleston
Brassell	deGraffenried	Grouby	Jenkins
Brewer	Dement	Hain	Johnson (Elmore)
Broadfoot	DeSear	Hall	Johnson (Tallapoosa)

Kaul	McKay	Oakley	Solomon
Kelly	McLendon	Oden	Speaks
Kendall	McNider	Payne	Steagall
Killough	Martin	Perry	Stembridge
Kirkham	Mathews	Pirkle	Stokes
Lackey	Mathison	Pruitt	Summerlin
Law	Meeks	Ramey	Taylor
Lee (Barbour)	Molette	Reynolds	Thomas
Lee (Lawrence)	Money	Roberts	Vacca
Locke (Choctaw)	Murphy	Selman	Ward
Locke (Perry)	Nettles	Shumate	Windle
Love	Nice	Simon	Wood
McClendon	Nolen		

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the second legislative day and finds the same to be correct.

RANKIN FITE,
Chairman

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the second legislative day was approved.

PRESENTATION OF GAVEL TO SPEAKER

A gavel with the following notation was presented to Hon. Rankin Fite, Speaker:

"This gavel is made of wood from the oak tree under which the company of Marion County was mustered into the Confederate Army. Some of the men came from remote parts of the County and slept under the oak tree.

This company was formed largely by the efforts of Col. Helveston. Most of the company were volunteers. They did not fight to perpetuate slavery, as there was scarcely a dozen slaves in the County. They fought for States' rights.

These men fought through the entire war."

On motion of Mr. Hawkins the Clerk was instructed to present this gavel to the Department of Archives and History in order that same might be preserved for posterity.

RESOLUTION

The following resolution was introduced:

By Mr. Hawkins:

H.J.R. 10. BE IT RESOLVED by the House of Representatives, the Senate concurring, that when the two Houses adjourn today, they adjourn sine die.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 10 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S.J.R. 4. Relative to additional allowance of ten dollars per day for expense of the members of the Legislature and the Lieutenant Governor.

J. E. SPEIGHT,
Secretary

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 10. Relative to sine die adjournment of the Legislature to-day.

J. E. SPEIGHT,
Secretary

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolution hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 8:00 A.M. on January 18, 1955

H.J.R. 9.

R. T. GOODWYN, JR.,
Clerk

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eighth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the eighth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the eighth legislative day was approved.

ADJOURNMENT

On motion of Mr. Hawkins the House at 12:12 P.M. adjourned sine die.

RANKIN FITE,
Speaker of the House of Representatives
of the Legislature of Alabama, Organizational Session, 1955.

ATTEST:

R. T. GOODWYN, JR.,
Clerk of the House of Representatives
of the Legislature of Alabama,
Organizational Session, 1955.

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ORGANIZATIONAL SESSION
1955

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JOURNAL
OF THE
House of Representatives
OF THE
State Of Alabama

FIRST EXTRAORDINARY SESSION, 1955



WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

SKINNER PRINTING COMPANY
PRINTERS-BINDERS
MONTGOMERY, ALABAMA

JOURNAL

OF THE

House of Representatives

OF THE

State Of Alabama

EXTRAORDINARY SESSION 1955

FIRST DAY

House of Representatives
Montgomery, Alabama
Tuesday, January 25, 1955

Be it remembered that on the 20th day of January, 1955, His Excellency, James E. Folsom, Governor of the State of Alabama, issued his proclamation convening the Legislature in extra session in words and figures as follows, to-wit:

A PROCLAMATION

BY THE

GOVERNOR

WHEREAS, there exists an extraordinary occasion in the State of Alabama which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Section 122 of the Constitution of Alabama of 1901:

NOW, THEREFORE, I, James E. Folsom, as Governor of the State of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the Seat of Government at the State Capitol in Montgomery, Alabama, at 12:00 o'clock Noon on Tuesday, January 25, 1955, and I do hereby designate the following subjects and matters to be considered and acted upon by said Legislature in extraordinary session assembled:

1. Legislation to increase the revenues available for use in highway construction in this State;
2. Legislation providing for the creation of one or more public corporations for the purpose of constructing highways in this State and financing such construction by the issuance of bonds of such public corporation or corporations, to provide and appropriate funds for the purposes of such public corporation or corporations, and to make studies respecting any thereof;
3. Local legislation.

IN WITNESS whereof I have hereunto set my hand as Governor of the State of Alabama and caused the Great Seal to be affixed, and have

caused this proclamation to be attested by the Secretary of State, at the Capitol, in the City of Montgomery, on this the 20th day of January, 1955.

JAMES E. FOLSOM,
Governor

(Seal)
ATTEST:

MARY TEXAS HURT,
Secretary of State

In pursuance whereof, at the hour of 12 M. on Tuesday the 25th day of January, 1955, the Representatives in the Legislature of Alabama assembled in the Hall of the House of Representatives.

The House was called to order by the Hon. Rankin Fite, Speaker of the House of Representatives.

PRAYER

The session was opened with prayer by Dr. Merle C. Patterson, Minister, First Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Dickson	Johnson ^(Tallapoosa)	Nolen
Adams	Edwards ^(Escambia)	Kaul	Oakley
Albea	Edwards ^(Jefferson)	Kelly	Oden
Ashworth	Faulk	Kendall	Payne
Bagley	Ferrell	Killough	Perry
Bassett	Franklin	Kirkham	Pirkle
Boyd	Gilchrist	Lackey	Pruitt
Bradford	Gist	Law	Ramey
Brannan	Goodwyn	Lee ^(Barbour)	Reynolds
Branyon	Gregory	Lee ^(Lawrence)	Richardson
Brassell	Grouby	Locke ^(Choctaw)	Roberts
Brewer	Hain	Locke ^(Perry)	Selman
Broadfoot	Hall	Love	Shumate
Brooks	Haltom	McClendon	Simon
Brown ^(Lamar)	Hanby	McKay	Solomon
Brown ^(Lee)	Hardy	McLendon	Speaks
Burkhalter	Hare	McNider	Steagall
Callahan	Harrison	Martin	Stembridge
Cornett	Harvey	Mathews	Stokes
Cox	Hawkins	Mathison	Summerlin
Crook	Hodges	Meeks	Taylor
Davis	Holliman	Molette	Thomas
Dawkins	Huddleston	Money	Tyson
deGraffenried	Hunt	Murphy	Vacca
Dement	Jenkins	Nettles	Ward
DeSear	Johnson ^(Elmore)	Nice	Windle

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A quorum was present.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Hawkins, Fite, Vacca, Nice and Bagley:

H.R. 1. BE IT RESOLVED by the House of Representatives that

JOURNAL

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House of Representatives

OF THE

State Of Alabama

EXTRAORDINARY SESSION 1955

FIRST DAY

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Montgomery, Alabama
Tuesday, January 25, 1955

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A PROCLAMATION

BY THE

GOVERNOR

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1. Legislation to increase the revenues available for use in highway construction in this State;
2. Legislation providing for the creation of one or more public corporations for the purpose of constructing highways in this State and financing such construction by the issuance of bonds of such public corporation or corporations, to provide and appropriate funds for the purposes of such public corporation or corporations, and to make studies respecting any thereof;
3. Local legislation.

IN WITNESS whereof I have hereunto set my hand as Governor of the State of Alabama and caused the Great Seal to be affixed, and have

caused this proclamation to be attested by the Secretary of State, at the Capitol, in the City of Montgomery, on this the 20th day of January, 1955.

JAMES E. FOLSOM,
Governor

(Seal)
ATTEST:

MARY TEXAS HURT,
Secretary of State

In pursuance whereof, at the hour of 12 M. on Tuesday the 25th day of January, 1955, the Representatives in the Legislature of Alabama assembled in the Hall of the House of Representatives.

The House was called to order by the Hon. Rankin Fite, Speaker of the House of Representatives.

PRAYER

The session was opened with prayer by Dr. Merle C. Patterson, Minister, First Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Dickson	Johnson (Tallapoosa)	Nolen
Adams	Edwards (Escambia)	Kaul	Oakley
Albea	Edwards (Jefferson)	Kelly	Oden
Ashworth	Faulk	Kendall	Payne
Bagley	Ferrell	Killough	Perry
Eassett	Franklin	Kirkham	Pirkle
Boyd	Gilchrist	Lackey	Pruitt
Bradford	Gist	Law	Ramey
Brannan	Goodwyn	Lee (Barbour)	Reynolds
Branyon	Gregory	Lee (Lawrence)	Richardson
Brassell	Grouby	Locke (Choctaw)	Roberts
Brewer	Hain	Locke (Perry)	Selman
Broadfoot	Hall	Love	Shumate
Brooks	Haltom	McClendon	Simon
Brown (Lamar)	Hanby	McKay	Solomon
Brown (Lee)	Hardy	McLendon	Speaks
Burkhalter	Hare	McNider	Steagall
Callahan	Harrison	Martin	Stembridge
Cornett	Harvey	Mathews	Stokes
Cox	Hawkins	Mathison	Summerlin
Crook	Hodges	Meeks	Taylor
Davis	Holliman	Molette	Thomas
Dawkins	Huddleston	Money	Tyson
deGraffenried	Hunt	Murphy	Vacca
Dement	Jenkins	Nettles	Ward
DeSear	Johnson (Elmore)	Nice	Windle

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A quorum was present.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Hawkins, Fite, Vacca, Nice and Bagley:

H.R. 1. BE IT RESOLVED by the House of Representatives that

room 216 (being the east room of the present lounge) be set aside and is hereby designated as the Prayer Room for the Legislature.

BE IT FURTHER RESOLVED by the House that said room be suitably equipped and furnished for the purposes aforesaid and further that a Committee of three members be appointed by the Speaker to carry out the purpose of this Resolution.

On motion of Mr. Hawkins the rules were suspended and H.R. 1 was adopted.

And the Speaker named as a committee on the part of the House:
Messrs. Pirkle, Nice and Simon.

Also:

By Mr. Hawkins:

H.R. 2. BE IT RESOLVED by the House of Representatives that the Clerk of the House notify the Senate that the House of Representatives is now in session and is ready for the transaction of public business.

On motion of Mr. Hawkins the rules were suspended and H.R. 2 was adopted.

Also:

By Mr. Hawkins:

H.J.R. 3. BE IT RESOLVED by the House, the Senate concurring that a Committee of three members of the House, to be named by the Speaker of the House, and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

AND BE IT FURTHER RESOLVED that said Committee ascertain from His Excellency if he desires to address a joint session of the Legislature and if he does desire to address a joint session, to further ascertain the time most suitable to him for such address.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 3 was adopted.

And the Speaker named as a committee on the part of the House:
Messrs. Hare, McNider and Ward.

Also:

By Mr. Hawkins:

H.J.R. 4. BE IT RESOLVED by the House of Representatives, the Senate concurring, that when the two Houses adjourn today, they adjourn to meet again on Friday, Jan. 28, 1955, at 10 A.M.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 4 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to notify the House of Representatives that the Senate is now in session and ready for the transaction of business.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Lamberth:

S.J.R. 1. RESOLVED by the Senate, the House concurring, that the Legislature convene in Joint Session in the Hall of the House of Representatives at 12:30 P.M. today to receive the Governor and to hear a message from him.

BE IT FURTHER RESOLVED that a committee of two on the part of the Senate be appointed by the President of the Senate, and three on part of the House be appointed by the Speaker of the House to wait upon the Governor and advise him of the contents of this resolution. Said Committee to serve as a committee to escort the Governor to the House for such hearing.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Van Antwerp and Robinson.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 1 set out in the above and foregoing Message from the Senate.

And the Speaker named as a committee on the part of the House: Messrs. Hare, McNider and Ward.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Fite, Oden, Law, Johnson (Elmore), Brewer, Dawkins, Stokes, Edwards (Escambia), Ferrell, Murphy, Simon, Brassell, Cornett, Dement, Stembridge, Lee (Lawrence), Broadfoot, Hawkins, Davis, Branyon, Selman, Shumate, McNider, Brown (Lamar), Gregory, Taylor, Adams, Kelly, Ramey, Killough, Cox, Huddleston, Bradford, Grouby, Johnson (Tallapoosa), Gist, Love, Steagall, Brooks, Hare, Bassett, Dickson, Burkhalter, Speaks, Tyson and Gilchrist.

H. 1. To amend Sections 647, 655, 656 and 657 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to increase the rate of the State Gasoline Excise Tax to eight cents per gallon and so as to make further provisions respecting the distribution of said tax.

Ways and Means.

By Messrs. Fite, Oden, Law, Johnson (Elmore), Brewer, Dawkins, Stokes, Edwards (Escambia), Ferrell, Murphy, Simon, Brassell, Cornett, Dement, Stembridge, Lee (Lawrence), Broadfoot, Hawkins, Davis, Selman, Shumate, Branyon, Lee (Barbour), McNider, Brown (Lamar), Gregory, Taylor, Adams, Ramey, Kelly, Killough, Cox, Huddleston, Bradford, Grouby, Johnson (Tallapoosa), Gist, Love, Steagall, Hare, Brooks, Bassett, Dickson, Burkhalter, Speaks, Tyson and Gilchrist.

H. 2. To amend Section 2 of Act No. 590 adopted at the 1939

Regular Session of the Legislature of Alabama, entitled "An Act to impose an excise tax upon the sale, distribution, storing, or withdrawal from storage within this State of certain motor fuels when used to operate motor vehicles upon the highways; to define the term motor fuel as used herein; to fix the amount of such tax and to provide for the collection thereof; to provide penalties for the violation of this act; to provide for the expense of administering the provisions hereof; to provide for the disposition of the proceeds of such tax; to authorize the State Department of Revenue to adopt and promulgate rules and regulations with respect to the administration and enforcement of the provisions of this act; to provide for a modification or repeal of laws or portions thereof to the extent of any conflict with the provisions of this Act; to fix the effective date of this act; and to generally provide for the enforcement of the provisions of this act and rules and regulations adopted pursuant thereto" and approved June 27, 1940, as heretofore amended, so as to increase the rate of the tax levied in said act, as amended, to eight cents per gallon.

Ways and Means.

By Messrs. Fite, Oden, Law, Johnson (Elmore), Brewer, Dawkins, Stokes, Edwards (Escambia), Ferrell, Murphy, Simon, Brassell, Cornett, Dement, Stenbridge, Lee (Lawrence), Broadfoot, Hawkins, Davis, Selman, Shumate, Branyon, Lee (Barbour), McNider, Brown (Lamar), Gregory, Taylor, Adams, Kelly, Ramey, Killough, Cox, Huddleston, Bradford, Grouby, Johnson (Tallapoosa), Gist, Love, Steagall, Brooks, Hare, Bassett, Dickson, Burkhalter, Speaks, Tyson and Gilchrist.

H. 3. To authorize the Director of Finance, the Highway Director and the Executive Secretary to the Governor to become a corporation; to prescribe the powers of such corporation, including the power to construct public roads and bridges in the state and to finance such construction by the issuance of its bonds; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and for investment of trust funds, and shall not create an obligation or debt of the state; to provide that all bonds issued by the corporation may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the bonds of such corporation; to make appropriation and pledge of funds necessary to pay the principal of and interest on bonds of such corporation; to authorize such corporation to pledge such funds for payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds, but that said bonds will nevertheless constitute negotiable instruments; to provide that the State Treasurer shall be custodian of funds of said corporation; to confer on said corporation the power of eminent domain; and to provide for the dissolution of such corporation.

Ways and Means.

By Messrs. Albea and Bagley:

H. 4. To repeal Act No. 42 (General Acts of Alabama, 1953, page 56) approved June 3, 1953, entitled "An Act relating to counties having a population of not less than seventy-five thousand (75,000) nor more than ninety thousand (90,000) inhabitants according to the 1950 or any subsequent decennial census of the United States; providing for a perpetual inventory of all property subject to taxation in such counties; directing the Governing Body of every such county to appropriate the portion of the cost of the inventory borne by the county, and to prorate

the portion of the cost borne by the county among the county and each board of education and each municipality in the county; and to appropriate such sum as may be necessary to provide for the portion of the cost of the inventory borne by the State," as amended by Act. No. 517, (General Acts of Alabama, 1953, page 651) approved September 3, 1953, entitled "An Act to Amend Act No. 42, S. 119, approved June 3, 1953 entitled 'An Act relating to counties having a population of not less than seventy-five thousand (75,000), nor more than ninety thousand (90,000) inhabitants according to the 1950 or any subsequent decennial census of the United States; providing for a perpetual inventory of all property subject to taxation in such counties; directing the governing body of every such county to appropriate the portion of the cost of the inventory borne by the county, and to prorate the portion of the cost borne by the county among the county and each board of education, and each municipality in the county; and to appropriate such sum as may be necessary to provide for the portion of the cost of the inventory borne by the State.'"

Local Legislation No. 1

By Mr. Davis (With Notice and Proof)

H. 5. To reorganize the government of Cullman County to promote economy and efficiency, abolishing the Board of Commissioners and Control, creating in lieu thereof a county commission, transferring certain county functions in relation to the construction, repair, and maintenance of public roads and bridges to the State Highway Department.

Notice and Proof H. 5.

Local Legislation No. 1.

STATE OF ALABAMA COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL

TO BE ENTITLED

AN ACT

To reorganize the government of Cullman County to promote economy and efficiency, abolishing the Board of Commissioners and Control, creating in lieu thereof a county commission, transferring certain county functions in relation to the construction, repair, and maintenance of public roads and bridges to the State Highway Department.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is created and established a commission form of government for Cullman County. The Board of Commissioners and Control provided for by Act No. 449, H. 670, approved August 17, 1951 (1951 Acts 801) is hereby abolished. Hereafter, the governing body of Cullman County shall be a county commission, consisting of a president and two associate commissioners, to be elected or appointed as provided in this Act.

Section 2. A president of the Cullman County Commission shall be elected at the general election in 1956, and every four years thereafter. Two associate commissioners shall be elected at the general elec-

tion in 1958, and every four years thereafter. The term of office of the president and associate commissioners shall commence on the first Monday after the second Tuesday in January next succeeding their election. Members of the commission shall be qualified electors of the county at the time of their election or appointment, and during their continuance in office, and shall be at the time of election or appointment high school graduates and not less than 35 nor more than 65 years of age. Any vacancy occurring shall be filled by appointment by the Governor, and the appointee shall hold office for the unexpired term. The governor shall appoint a president of the Cullman County Commission and two associate commissioners immediately upon the enactment of this Act, and such appointees shall serve until their successors are elected and qualified as herein provided.

Section 3. Except as is otherwise provided in this Act, the Cullman County Commission shall have and exercise all the jurisdiction, power, and authority vested in or conferred on the Board of Commissioners and Control, and on courts of county commissioners, boards of revenue, or like county governing bodies under general laws, and shall perform the same duties. The president of the commission shall be its chief executive officer, and shall devote full time to the performance of his duties. He shall receive an annual salary of four thousand eight hundred dollars (\$4,800), payable in equal monthly installments, and shall be reimbursed all necessary expenses incurred in traveling on official business for the county. The president of the commission shall have charge of the financial affairs of the county, the preparation of the budget, the disbursement of county funds, the management of county buildings and property, and the accounting records of the county, subject to approval of the commission. He shall have such authority to employ clerical assistants as the commission may prescribe. The President must make a bond to the county in the sum of twenty thousand (\$20,000) dollars, the premium on said bond to be paid out of general fund of county.

Section 4. The Cullman County Commission shall hold regular meetings on the second and fourth Mondays of each month and may hold special meetings upon call of the president or the two associate commissioners; provided that not more than two special meetings may be held in any one month. The commission shall keep, or cause to be kept complete and accurate minutes of all meetings, and the vote of each member of the commission on every question shall be recorded therein. The minutes of commission meetings shall be open to public inspection at all reasonable times.

Section 5. Associate members of the Cullman County Commission shall not be required to give full time to the performance of official duties. They shall attend all meetings of the commission, however, and shall be entitled to ten dollars for each meeting attended, plus mileage at the rate of eight cents per mile traveled in going to and from such meetings.

Section 6. The Cullman County Commission shall have and exercise only the powers, authority, and functions relative to the construction, maintenance, and repair of roads and bridges as are herein conferred upon it, as follows:

1. To levy road and bridge taxes and to appropriate money for the construction, maintenance, and repair of county roads and bridges, as prescribed by law.

2. To borrow money and issue bonds or other evidence of indebtedness for the purpose of constructing, maintaining, and repairing roads and bridges, subject to the approval of the State Highway Department.

3. To determine the location of new roads and bridges within the county which may be established as an addition to or change in the existing county road system, subject to the approval of the State Highway Department.

4. To exercise the right of eminent domain for the purpose of acquiring rights-of-way for the establishment and changing of county roads and bridges, subject to the approval of the State Highway Department.

The commission shall have no authority to employ or discharge or regulate or control in any manner any personnel used in and about the construction, maintenance, or repair of roads and bridges; to contract for or purchase any services, supplies, equipment, machinery or materials used or to be used in the construction, maintenance or repair of roads and bridges; to pay, or order payments to be made to, any person, firm, or corporation for services rendered or supplies, equipment, machinery, or materials provided for the construction, maintenance, or repair of county roads or bridges.

As soon as practicable after the effective date of this Act, the commission and officials of Cullman County shall transfer or turn over to the State Highway Department all funds, supplies, equipment, machinery, and materials held, owned, leased, or controlled by it or them for the construction, maintenance, and repair of county roads and bridges. Thereafter, on or before the tenth day of each month, the commission, and all other county officials shall pay over to the State Highway Department all funds collected or received by it or them from any source whatsoever during the preceding month which are designated or to be used for the purpose of constructing, maintaining, or repairing county roads or bridges. Such funds shall be maintained in a separate account by the State Highway Department and shall be used by it solely for the purpose of constructing, maintaining, and repairing roads and bridges in Cullman County, subject to the provisions of this Act.

Section 7. Persons employed by Cullman County for road and bridge work who are in service on the effective date of this Act may be continued in service by the State Highway Department, in its discretion, until January 1, 1957, without regard to the State's Merit System Act or rules and regulations promulgated under its authority. All other persons employed by the department in the administration of this Act shall be employed subject to the Merit System Law.

Section 8. After the effective date of this Act, the State Highway Department shall pay all of the outstanding financial obligations of Cullman County which were incurred prior to the enactment of this act for the construction, maintenance or repair of county roads and bridges, out of the funds to be paid over to the Highway Department under the provisions of Section 6 of this Act. Nothing contained in this Act, however, shall be construed so as to relieve Cullman County of the liability for paying any of its financial obligations now existing or hereafter incurred under the provisions of Section 6 hereof in the event the funds paid over to the State Highway Department are insufficient to do so, or to require that any of the financial obligations of the county presently existing or hereafter incurred under the provisions of Section 6 hereof shall be paid from highway department funds.

Section 9. The State Highway Department shall construct, maintain and repair the county roads and bridges of Cullman County with the funds paid over to it pursuant to Section 6 of this Act, and with funds which would otherwise accrue to Cullman County for road and bridge work from any source whatsoever. The State Highway Department shall retain, and the appropriate state official is authorized to pay over to it, any funds or amounts to which Cullman County shall be entitled from

the proceeds of the state gasoline tax, the motor vehicle license tax allocated to the county, or any other state tax, and such sums and amounts shall be used in addition to the sums and amounts turned over to the State Highway Department under the provisions of Section 6 of this Act for the construction, maintenance and repair of county roads and bridges in said county. Gasoline tax money and the proceeds of any other tax to which Cullman County is entitled which is received by the State Highway Department for road and bridge work in Cullman County shall be kept in the separate account referred to in Section 6 of this Act.

Section 10. Any contract for the construction, maintenance and repair of county roads and bridges entered into by or on behalf of Cullman County prior to the adoption of this Act shall remain in full force and effect until the terms thereof have been complied with.

Section 11. At the time the county transfers to the department county-owned road equipment, machinery, and supplies, under the provisions of this Act, an inventory thereof shall be made, a copy to be kept on file by the commission and by the department, and in the event this Act is repealed or becomes inoperative, the department shall return to the county road equipment, machinery, and supplies of like kind and of equal value.

Section 12. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 13. The provisions of this Act are declared to be severable. Should any section or other portion thereof be declared unconstitutional or invalid such adjudication shall not affect the portion, or portions, of said Act remaining.

Section 14. This Act to become effective upon its passage and approval by the Governor or its otherwise becoming a law.

BRYCE DAVIS,
Representative, Cullman County

Dec. 23-30, Jan. 6-13

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 23-30, 1954, and Jan. 6-13, in the year 1955.

Robert Bryan

Sworn to and subscribed before me January 14, 1955.

MARIE W. BERGIN,
Notary Public

My Commission Expires April 2, 1957.

By Mr. Davis (With Notice and Proof):

H. 6. Relating to Cullman County: Creating the Cullman County

Commission on Education to administer the public school laws, supervise the public school system, and promote the educational interests of the county, limiting the jurisdiction of the Commission to schools not subject to the jurisdiction of the City of Cullman or any of its instrumentalities; abolishing the board of education of Cullman County and the office of county superintendent of education; providing for the election of members of the Commission and for the election of a superintendent of county schools, fixing their terms, qualifications, and compensation, and prescribing their powers and duties.

Notice and Proof H. 6

Local Legislation No. 1.

STATE OF ALABAMA
COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cullman County: Creating the Cullman County Commission on Education to administer the public school laws, supervise the public school system, and promote the educational interests of the county limiting the jurisdiction of the Commission to schools not subject to the jurisdiction of the City of Cullman or any of its instrumentalities; abolishing the board of education of Cullman County and the office of county superintendent of education; providing for the election of members of the Commission and for the election of a superintendent of county schools, fixing their terms, qualifications, and compensation, and prescribing their powers and duties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of education and the office of superintendent of education of Cullman County are hereby abolished, and there is created in lieu of the board of education the Cullman County Commission on Education. The Commission on Education shall administer the school laws of the State and County, supervise the public schools and public school system of the county, and shall have and exercise all the rights, powers, duties and privileges vested in and required of county boards of education, except that the Commission shall have no jurisdiction over schools which are subject to and come under the jurisdiction of the City of Cullman or any of its instrumentalities.

Section 2. Immediately upon the effective date of this Act, the Governor shall appoint five qualified persons as members of the Cullman County Commission on Education, who shall hold office until their successors are elected or appointed as herein provided. Three members of the Commission shall be elected by the qualified electors of Cullman County at the general election in November, 1956, and every four years thereafter. Two members of the Commission shall be elected at the general election in 1958, and every four years thereafter. Members of the Commission shall take office on the first Monday after the second Tuesday in January next succeeding their election. They shall qualify and be removed in the same manner as members of county boards of education. No person shall be eligible for appointment or election as a member of the Cullman County Commission on Education, however, who is a resident of the City of Cullman. All members of the Commission shall be,

at the time of their election or appointment and during their continuance in office, qualified electors of Cullman County. The members of the Commission shall elect a chairman from among their number. Three member shall constitute a quorum.

Section 3. Immediately after the effective date of this Act, the Governor shall appoint some qualified person as superintendent of county schools in Cullman County, and such appointee shall hold office until July 1, 1957. A superintendent of county schools shall be elected by the qualified electors of Cullman County at the general election in November, 1956, and every four years thereafter. The superintendent of county schools shall take office on the first day of July next succeeding his election. No person shall be eligible for appointment, for political party nomination, or for election to the office of superintendent of county schools Degree, and who does not hold an Alabama certificate in administration and supervision based upon requirements established by the State Board of Education for such certificates, and who does not submit proof to the State Superintendent of Education of at least three years of successful education experience as teacher, principal, supervisor, superintendent, educational administrator, or instructor in school administration during the five years next preceding his appointment or election. The superintendent of county schools must be, at the time of his election or appointment and during his continuance in office, a qualified elector of Cullman County. His term of office shall be for four years, and he shall be removed only by impeachment in the manner prescribed by law. He shall receive an annual salary and the necessary expense of traveling in the performance of his official duties. His salary shall be fixed by the Cullman County Commission on Education at a sum not in excess of six thousand dollars.

Section 4. The members of the Cullman County Commission on Education shall receive from the public school funds of the county seven dollars and fifty cents a day for attending commission meetings, and actual traveling and hotel expenses incurred. They shall not be allowed pay or expenses for more than twenty-four days in any one year.

Section 5. The general administration and supervision of the public schools of Cullman County, with the exception of the schools of the City of Cullman, shall be vested in the Cullman County Commission on Education. The Commission shall determine the educational policy of the county, and shall prescribe rules and regulations for the conduct and management of the county schools. All the powers, rights, privileges, prerogatives, jurisdiction, and duties vested in or imposed on county boards of education are hereby vested in or imposed on the Cullman County Commission on Education.

Section 6. The superintendent of county schools of Cullman County shall be the chief executive officer of the Cullman County Commission on Education. All the powers, rights, privileges, prerogatives, and duties heretofore vested in or imposed on the county superintendent of education are hereby transferred to the superintendent of county schools. The superintendent shall give bond in such penal sum as may be prescribed by the Cullman County Commission on Education, in the manner and with the conditions provided for custodians of county school funds. Any vacancy occurring in his office shall be filled by appointment by the Governor for the unexpired term.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8 All the laws or parts of laws which conflict with this Act are repealed

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law .

Bryce Davis
Representative,
Cullman County

Dec. 26, Jan. 2-9-16

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Cullman Democrat, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 26, 1954, January 2-9-16, and, all in the year 1955.

ROBERT BRYAN

Sworn to and subscribed before me January 17, 1955.

MARIE W. BERGIN
Notary Public

My Commission Expires April 2, 1957.

By Mr. Edwards (Escambia) (With Notice and Proof):

H. 7. Relating to Escambia County: Creating the office of Commissioner of Education of Escambia County to administer the public school laws, supervise the public school system, and promote the educational interests of the county; abolishing the office of the county superintendent of education; transferring the duties, powers and authority of the superintendent of education to the Commissioner of Education.

Notice and Proof H. 7:

Local Legislation No. 1.

A BILL TO BE ENTITLED AN ACT

Relating to Escambia County: Creating the office of Commissioner of Education of Escambia County to administer the public school laws, supervise the public school system, and promote the educational interests of the county; abolishing the office of the county superintendent of education; transferring the duties, powers and authority of the superintendent of education to the Commissioner of Education.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The office of superintendent of education of Escambia County is hereby abolished, and there is created in lieu of the office of superintendent of education the office of Commissioner of Education of Escambia County. The Commissioner of Education of Escambia County shall administer the school laws of the State and County, supervise the

public schools and public school system of the County, and shall have and exercise all the rights, powers, duties and privileges vested in and required of county superintendent of education.

Section 2. Immediately upon the effective date of this Act, the Governor shall appoint some qualified person as Commissioner of Education of Escambia County, who shall hold office until July 1, 1957. A Commissioner of Education for Escambia County shall be elected by the qualified electors of Escambia County at the general election in November, 1956, and every four years thereafter. The Commissioner of Education shall take office on the first day of July next succeeding his election.

Section 3. No person shall be eligible for appointment or election as Commissioner of Education of Escambia County who is not a college education with at least three years of educational experience as teacher, principal, supervisor, superintendent, administrator, or instructor in school administration. The Commissioner of Education of Escambia County must be at the time of his appointment or election and during his continuance in office a qualified elector of Escambia County.

Section 4. The term of office of the Commissioner of Education of Escambia County shall be for four years, and he shall be removed only by impeachment, in the manner prescribed by law. He shall receive an annual salary of seven thousand dollars (\$7,000) and the necessary expenses of traveling in the performance of his official duties. He shall give bond in such penal sum as may be prescribed by the county board of education, in the manner and with the conditions provided for custodians of county school funds.

Section 5. The Commissioner of Education of Escambia County shall be the chief executive officer of the board of education. All the powers, rights, privileges, prerogatives, and duties heretofore vested in or imposed on the superintendent of education are hereby transferred to the Commissioner of Education for Escambia County.

Section 6. All laws and parts of laws in conflict herewith are hereby repealed.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. E. Brooks, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of The Brewton Standard, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on December 23, December 30, January 6, and January 13, all in the year 1954 and 1955.

W. E. BROOKS, JR.,

Sworn to and subscribed before me January 14, 1955.

HELEN G. AUGHTMAN
Notary Public

By Mr. Love (With Notice and Proof):

H. 8. Relating to Covington County: To provide for expenditures for tangibles and services from the fine and forfeiture fund of Covington County, Alabama; to repeal all laws or parts thereof in conflict herewith; and to fix the effective date hereof.

Notice and Proof H.8:

Local Legislation No. 1.

NOTICE OF LOCAL BILL

At the next special session of the Legislature of Alabama, a local bill substantially as below will be introduced—

A BILL TO BE ENTITLED AN ACT

Relating to Covington County: To provide for expenditures for tangibles and services from the fine and forfeiture fund of Covington County, Alabama; to repeal all laws or parts thereof in conflict herewith; and to fix the effective date hereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The word "court-room" employed herein shall mean and include only the offices of the Circuit Judge, Circuit Clerk, Register of the Circuit Court, and Sheriff; also it shall include the room or rooms where the Circuit Court of Covington County is held and all satallite rooms used in connection with such room or rooms.

Section 2. The fine and forfeiture fund of Covington County in excess of a ten thousand dollar cash balance may be expended for court-room fixtures, equipment and supplies; and also for any other tangibles or services that promote the welfare of the Circuit Court of Covington County or aid its efficiency, but not to include salaries, remuneration or emoluments to jurors, circuit court or county officers, elective or appointive, or their regularly employed secretaries now otherwise fixed and prescribed by law. Nothing herein shall be construed to preclude payment for secretarial help not otherwise provided by law to any circuit court officer or for services rendered by a substitute court reporter and his reasonable transportation and subsistence, all of which employment and payments not so precluded are specifically authorized as the county governing body may determine. Likewise, the chairman of the Jury Board of Covington County may be paid extra compensation out of such fund as the county governing body may elect.

Section 3. The aforementioned expenditures may be made only by authority of the governing body of Covington County.

Section 4. All laws in conflict herewith are repealed and this Act shall become effective immediately on approval by the Governor.

—12-16-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA,
COVINGTON COUNTY.

I, Ben S. Woodham, editor of The Florala News, a weekly newspaper of general circulation published in Covington County, Alabama, do hereby certify that the notice attached hereto has been published in said

newspaper for a period of four (4) weeks, appearing in the issues of Dec. 16, 23, and 30, 1954, and Jan. 6, 1955.

BEN S. WOODHAM

Sworn and subscribed to before me this 13th day of Jan., 1955.

CLYDE M. LOVE
Notary Public

By Messrs. Vacca, Perry, Edwards (Jefferson), Nice, Lackey, Kaul, Meeks:

H. 9. To amend further Sections 394 and 409, Title 51, Code of Alabama (1940), which relate to income taxes, by providing for a change in the time of filing returns of and paying such tax.

Ways and Means.

By Messrs. Simon and Tyson:

H. 10. To amend further Section 254 of Title 13 of the Alabama Code of 1940, which relates to Deputy Solicitors of the 13th Judicial Circuit.

Ways and Means.

By Mr. Nolen:

H. 11. Relating to the State Department of Education: fixing the maximum salary of an assistant state superintendent of education and an executive assistant to the state superintendent of education.

Ways and Means.

By Mr. Payne:

H. 12. To raise revenue for the State and incorporated municipalities; levying an additional tax of two cents per gallon on certain motor fuels sold, used or stored within this State; providing for the distribution of the proceeds thereof; repealing local laws and ordinances levying local taxes on motor fuel; providing penalties for violations of provisions of this Act.

Ways and Means.

By Messrs. McKay, Payne, Dement, Locke (Choctaw), Cornett, Nolen, Killough, Brassell, Molette, Hardy, Ashworth, Pirkle, Selman, Shumate, Kelly, deGraffenried, Brewer, Jenkins, Faulk, Hodges, Lee (Barbour), Bagley, Harrison, Albea, McClendon, Adams, Johnson (Tallapoosa), Ferrell, Callahan, Franklin, Mathews, Thomas, Grouby, Steagall, Hain and Stembridge:

H. 13. To amend further Sections 394 and 409 of Title 51, Code 1940, which relate to the time and methods of payment of income taxes.

Ways and Means.

By Mr. Adams:

H. 14. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Local Government.

By Messrs. Callahan and deGraffenried (With Notice and Proof):

H. 15. To make an appropriation out of the general funds of Tuscaloosa County, for the relief of Charlie Jones, an employee of Tuscaloosa County, who was injured while performing his duty.
Notice and Proof H. 15.

Local Legislation No. 1.

NOTICE is hereby given that a bill in substantially the following form will be introduced in the next special or regular session of the Legislature of Alabama.

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation out of the general funds of Tuscaloosa County, for the relief of Charlie Jones an employee of Tuscaloosa County, who was injured while performing his duty.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The sum of \$1664.00 is appropriated from the general funds of Tuscaloosa County Alabama, for the relief of Charlie Jones.

Section 2. Payment of the sum appropriated shall be the full satisfaction of the claim of Charlie Jones, as compensation, for personal injuries suffered by him on April 30, 1954, while performing his duty as an employee of Tuscaloosa County, Alabama.

Section 3. This act shall become effective immediately upon its passage and approval or upon it otherwise becoming a law. Dec. 1-8-15-22-4tc

STATE OF ALABAMA
TUSCALOOSA COUNTY

I hereby certify that the attached notice was published in the Tuscaloosa News once a week for 4 consecutive weeks; viz, December 1, 8, 15, 22, 1954.

JAMES W. THOMPSON,
Legal Clerk

Subscribed and sworn to before me on this the 19th day of January, 1955.

LILLA COLLINS,
Notary Public

By Messrs. Callahan and deGraffenried:

H. 16. To repeal Act No. 784, H. 316, approved September 19, 1953 (Acts of 1953, Vol. II, pp. 1069-1073) entitled "An Act To provide that commercial fishing gear, which shall include commercial gear for the taking of fresh water mussels, may be used in commercial fishing in the public fresh waters of this State and to provide that the Department of Conservation may prescribe rules for and when, where and how the same may be used. To provide for licenses and the issuance thereof permitting the use of such commercial fishing gear. To provide licenses for wholesale and retail dealers of fresh water non-game fish. To provide for the issuance of such licenses and the disposition of the revenue derived therefrom. To provide for the seizure and confiscation of commercial fishing gear used in violation of the terms of this Act. To pro-

vide for a penalty for the violations of any provision of this Act and to provide for the disposition of the license fees and the fines accruing from violations of this Act. To repeal Sections 70, 71, 72, 74 and 77 of Title 8, Code of Alabama 1940, and to repeal Act No. 263, 1945 General Acts of Alabama, page 407, approved July 7, 1945, which relates to commercial fishing gear to be used in public fresh waters of this State and the licensing of such gear. To repeal Section 73 of Title 8, Code of Alabama 1940, as amended by Act No. 556, 1943 General Acts of Alabama, page 543, approved July 10, 1943, and by Act No. 306, 1947 General Acts of Alabama, page 163, approved August 14, 1947."

Conservation

By Messrs. Callahan and deGraffenried:

H. 17. Relating to conservation, amending Section 14 of Act No. 784, H. 316, approved September 19, 1953 (1953 Acts, Vol. II, p. 1072), which regulates commercial fishing.

Conservation

By Messrs. Callahan and deGraffenried:

H. 18. Relating to conservation: Amending Section 14 of Act No. 784, H. 316, approved September 19, 1953, which regulates commercial fishing (1953 Acts 1069, 1072), commonly called "The 20-Hook Law."

Conservation

By Messrs. Selman and Shumate:

H. 19. To provide for the labeling or marking of coal which is transported into the state for sale within the state, for the inspection thereof, for the levying of a fee to be applied against the cost of such inspection, and for a penalty for failure to label or mark said coal.

Ways and Means

By Messrs. Callahan and deGraffenried (With Notice and Proof):

H. 20. For the relief of William Thomas Smith and to make an appropriation out of the general fund of Tuscaloosa County, Alabama, for the relief of William Thomas Smith, an employee of Tuscaloosa County, who was injured while performing his duty.
Notice and Proof H. 20.

Local Legislation No. 1.

NOTICE is hereby given that a bill in substantially the following form will be introduced at the next regular or special session of the Legislature of Alabama.

A BILL

TO BE ENTITLED

AN ACT

For the relief of William Thomas Smith and to make an appropriation out of the general fund of Tuscaloosa County, Alabama, for the relief of William Thomas Smith an employee of Tuscaloosa County, who was injured while performing his duty.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The sum of \$10,000 is appropriated from the general fund

of Tuscaloosa County, Alabama, for the relief of William Thomas Smith.

Section 2. Payment of the sum appropriated shall be the full satisfaction of the claim of William Thomas Smith, as compensation, for personal injuries suffered by him on January 19, 1954, while performing his duty as an employee of Tuscaloosa County, Alabama.

Section 3. The Board of Revenue of Tuscaloosa County, Alabama, is hereby authorized and required to draw a warrant on the general fund of Tuscaloosa County, Alabama, for the payment of this appropriation.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor and its otherwise becoming a law. Dec. 1-8-15-22—4tc.

**STATE OF ALABAMA
TUSCALOOSA COUNTY**

I hereby certify that the attached notice was published in the Tuscaloosa News once a week for 4 consecutive weeks; viz, December 1, 8, 15, 22, 1954.

JAMES W. THOMPSON
Legal Clerk

Subscribed and sworn to before me on this the 19th day of January, 1955.

LILLA COLLINS,
Notary Public

By Messrs. Callahan and deGraffenried (With Notice and Proof):

H. 21. To extend, alter and rearrange the boundary lines and corporate limits of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Notice and Proof H. 21:

Local Legislation No. 1

NOTICE is hereby given that a bill substantially in the following form will be introduced in the next regular or special session of the Legislature of Alabama:

AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundary lines and corporate limits of the City of Tuscaloosa in Tuscaloosa County, Alabama, be and the same are hereby extended, altered, and rearranged so as to include within the corporate limits of said City all of the following additional adjacent territory:

Begin at the Southwest corner of Section 21, Township 21 South, Range 10 West: run thence in an Easterly direction along the Southern boundary line of said section a distance of One Thousand, Seven Hundred Ninety-seven and Five tenths (1797.5) feet to a point; run thence with an interior angle eighty-two degrees and fifty-one minutes (82°51') in a Northerly direction a distance of One Thousand Fifty-nine and Five Tenths (1,059.5) feet to a point in the center line of the sixty (60) foot right-of-way of 8th Street as now located; run thence with an interior

angle ninety-three degrees and forty minutes (93°40') in a Westerly direction along the center line of 8th Street as now located or an extension thereof a distance of Eleven Hundred Forty-Five (1145) feet to a point on the Eastern or Southeastern boundary of the GM&O Railroad Goodrich Spur Track Right-of-Way; run thence in a Southwesterly direction along the curving Eastern or Southeastern boundary of said GM&O Railroad Goodrich Spur Track Right-of-Way, being Thirty-five (35) feet from the center line of the railroad track thereon as now located, a distance of Six Hundred Fifty-nine and Six Tenths (659.6) feet to a point where said boundary of said GM&O Railroad Goodrich Spur Track Right-of-Way intersects the Western boundary line of said Section 21; run thence in a Southerly direction along the Western boundary line of said Section 21, a distance of Six Hundred Forty-three and Three Tenths (643.3) feet to the point of beginning, containing thirty-five (35) acres, more or less.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

December 3, 10, 17, 24, 1954—4tc

STATE OF ALABAMA
TUSCALOOSA COUNTY

I hereby certify that the attached notice was published in the Tuscaloosa News once a week for 4 consecutive weeks; viz, December 3, 10, 17, 24, 1954.

JAMES W. THOMPSON,
Legal Clerk

Subscribed and sworn to before me on this the 27th day of December, 1954.

LILLA COLLINS,
Notary Public

By Mr. Summerlin:

H. 22. To validate elections held since June 4, 1951, under the provisions of Article 6 or 7 of Chapter 10, Title 52, Code of Alabama, 1940.

JUDICIARY

By Messrs. Dawkins, Hall, Goodwyn and Nolen:

H. 23. To amend Section 27 of Act No. 813, S 662, approved September 11, 1951, (Acts of Alabama 1950-1951, pages 1426-1447), which relates to providing for and prescribing the form of government for all cities of Alabama having a population of not less than 75,00 nor more than 125,000 inhabitants according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census by more particularly defining the employees covered thereunder.

Local Legislation No. 1.

By Messrs. Callahan and deGraffenried:

H. 24. For the relief of James E. Allen and to appropriate for the said James E. Allen the sum of \$2,000.00, to compensate him for severe

and permanent injuries and the partial loss of a hand while serving as a convict in Draper Prison.

Ways and Means.

JOINT SESSION

The hour of 12:30 P.M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the hall of the House of Representatives, in accordance with Senate Joint Resolution No. 1, for the purpose of hearing an address by His Excellency, James E. Folsom, Governor of the State of Alabama.

The joint session was called to order by the Hon. W. Guy Hardwick, Lieutenant Governor and Presiding Officer of the Senate.

GOVERNOR'S MESSAGE

His Excellency, James E. Folsom, Governor of the State of Alabama, appeared before the joint session and delivered in person the following:

Governor Hardwick, Mr. Speaker, members of the joint session of the Alabama Legislature convened in this special session for the purposes as set out in my proclamation:

As many of you know, eight years ago I was elected Governor of the great State of Alabama on a program unprecedented in its scope for the building of mailbox roads or rural roads in Alabama. That program was blocked all through the 1947 session of the Legislature all through the 1949 session.

After that program was blocked, the State of North Carolina, a neighboring southern state of ours, elected a Governor by the name of Kerr Scott, after I'd been in office for two years and he presented to his Legislature a \$200,000,000 bond issue program for the building of rural roads alone. That program was successful and has been completed in North Carolina. Every rural route practically in North Alabama, I mean North Carolina, now has a blacktop or paved all-weather road. And the people of North Carolina are so pleased with that until my highway director tells me that they are now contemplating another major road building program to meet the Federal Government's program. Now, just think, if we could have gone forward in 1947 how much better off we would be today on the matter of rural roads.

And as I talked to businesses and industries interested in coming into Alabama one of the first things, not one of the second, one of the first things they asked about was highway transportation facilities, especially roads. And if we had had this program proposed eight years ago, it would have been much easier to sell industry into coming to this State.

Why, there is the simple thing of a business on the rural roads that we built ourselves before. I traveled over many of them, I stopped in these country stores as we would build these roads. Maybe after the road had been there a year or two years or four years, invariably they would tell me that the gasoline business almost doubled or tripled; and in most of the other lines of merchandise that they sell business increased.

So, this is an important program. It's a program that people themselves are demanding. It's a program that I stood for before all the people in 1947 successfully. And it's a program that I stood for before the people in 1954 successfully. Very few men ever enjoy that honor and high privilege standing before the people of Alabama for the office of Governor successfully—for two times. That was the major portion of my program.

Now let me briefly remind you of the condition of the highway department. We pay a higher percentage to local government—that's county government, I believe—of the state gasoline revenues or highway department revenues of any State in the Nation. We pay four cents to

local governments or county governments; two cents goes to the highway department. Of that two cents, one penny goes for maintenance of the highways of this State, and that leaves one penny to construct new highways and service the debt which has been raised considerably in the last four years. So really, the highway department has less than one penny with which to build highways—primary, secondary and rural—of its own funds.

And another thing, I want to pledge to you, impress upon you, the members of this Legislature, that any funds pledged by this body for the construction of highways will be, as before, spent wisely and economically. That's the reason that I was able to offset the propaganda against my previous administration. The people themselves could see through the propaganda machine, because we did administer the funds economically and wisely.

Take the matter of automobiles: small cars we generally purchased for \$1350 to \$1400. After I left office, that purchase price was increased three to four hundred dollars. Four hundred dollars on a thousand small automobiles means \$400,000. In a county, \$10,000, to the rural mind, means 40 miles of \$10,000 roads, or 80 miles of \$5,000 roads. And we are going to build many for \$5,000.

The matter of purchasing paint, not interfering in anybody else's administration—the administration as I have said many times is responsible to the people—but the streak of paint that goes down the center of the highway, despite all the propaganda to the contrary, we purchased that paint 75c to a \$1 a gallon cheaper than it was purchased the last four years. A dollar a gallon on a 100,000 gallons of paint, which is not an excessive amount to buy, means a lot of money—on a million gallons of paint that's a million dollars. To a county that means 100 miles of \$10,000 roads or 200 miles of \$5,000 roads.

So, we are going to administer this fund just like we did before, to the low bidder and efficient. We hope we can save \$100,000, or a 100 miles of road for Mr. Charlie Rainey's county out there. We owe it to the State of Alabama to do it. If we can save 200 miles of road in Winston County or Cullman County, if you please, we owe it to the people of Alabama to administer these funds wisely and efficiently, as before, despite the propaganda to the contrary, so that we might build as many miles of roads and stretch these funds as far as possible.

I mention that word of comparison to let you know that we did administer your affairs efficiently before; and it's a matter of record, and the record will always stand as a record by comparison. I pledge you, the Legislature of Alabama, that any additional funds raised for the building of highways will be administered in such manner that every foot of road that can be purchased with those funds will so be done. That is my pledge to the Legislature. The people of Alabama want this program, they want a special road building program.

I am asking the Legislature of Alabama to give the State of Alabama the same authority to finance the building of roads in the State of Alabama that the counties themselves now have—namely, tax anticipation warrants issued by the State of Alabama in no certain amount, none is going to be borrowed that's not needed to match federal funds with, or not demanded by your county. They will be borrowed as needed and they will be limited by, of course, what the revenue will provide in the matter of bonds. I am asking this Legislature to provide revenue increase in the gasoline tax of two cents a gallon, one penny to be used to finance the warrants that will be sold as needed to finance your program and to match what moneys are needed in the Federal Government up there now, and I understand its considerable, and the other penny will be used for the current administration of the highway department, of which, as I have said before, there is really less than one penny after maintenance and service of the debt is deducted. So that puts the high-

way department of Alabama back on the level with the local government in the matter of authority to borrow and in the matter of authority to build. I myself personally never accumulated anything in my life, unless I was able to finance it and pay out for it as we used it. And just on the maintenance of transportation vehicles alone, good roads pay for themselves—just on the upkeep of trucks and automobiles alone.

And then in the matter of real estate, I notice where a highway has been laid or constructed in the various communities in Alabama the price of that real estate in the vicinity has doubled and tripled, the market value sometimes quadrupled and five times itself. So it is not a matter of spending money, it is a matter of investment for the people of Alabama. Just look what an investment the first road building program in Alabama turned out to be. We are using some of them today, many of them, nearly all of them. Look what investment the second road building program turned out to be. It is always an investment and the people of Alabama themselves feel that it is an investment and have said so by their vote.

Let me briefly review. First, I want to say that the funds that you provide for this purpose will be spent wisely and efficiently and every dime to provide every foot possible will be provided so that the maximum amount of money provided will go on the roads and no other place. That is number one.

Number two. The condition of the Highway Department is such that it requires immediate attention by this Legislature.

Number three. I was twice elected by the people of Alabama in behalf of a special road building program. It was blocked in 1947 and states like North Carolina have outdistanced us by leaps and bounds and some of our other neighboring states. So, it is essential for the purposes of bringing Alabama in line with our neighboring states in the matter of special road building program.

Number four. The building of highways is not an expenditure of monies but an investment of money. It brings business along the highway where the roads are built and brings an increase of business to the people who are in business along these roads and in counties where they exist. And, also, the building of roads, especially rural roads, increases the property values to such an extent that they pay for themselves for that purpose and that purpose alone, so the people want this program. Many of you, I know, were elected pledged to a special program of this sort, I hope you will get down to the business at hand with dispatch so that we might finish this special highway program and dive right into other programs for which the various ones of us were elected. I trust that you will spend as much time as practicable and possible in hammering this program out and I hope you finish it soon with dispatch so that we might get on to the other business at hand.

I thank you, and God bless you.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished, the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Callahan and deGraffenried:

H.J.R. 5. WHEREAS, the Honorable J. P. Shelton, who as one of the Representatives from Tuscaloosa County, served in the House of Representatives of the Alabama Legislature, in a highly distinguished manner, during two consecutive terms, died on May 6, 1954, just a few days after he was nominated by the voters of the Democratic Party of

his County for a third term, and was buried in his adopted home town of Tuscaloosa, Alabama, and,

WHEREAS, his services and activities as a member of the House of Representatives, contributed gratefully to the progress and benefit of the State of Alabama, his County of Tuscaloosa and its many institutions, he being especially interested in all Legislation relating to the public welfare, and the development of a strong and useful public welfare program in this State, and,

WHEREAS, he was a true Southern Gentleman, and a genuine Statesman, whose advice, and counsel was sought by people in all walks of life; he was of a kindly disposition and devoted his life to the betterment of mankind; and left his native State of Alabama better than he found it; his life having not been lived in vain;

NOW THEREFORE BE IT RESOLVED, by the House of Representatives, the Senate concurring, that we do hereby express our deep regret at the loss of this distinguished citizen, and extend our sympathy to the members of his family: and further, that a copy of this Resolution be spread upon the journals of the two houses.

On motion of Mr. Callahan the rules were suspended and H.J.R. 5 was adopted.

Also:

By Messrs. Callahan, deGraffenried and Hawkins:

H.J.R. 6. Naming the state trade school at Tuscaloosa "The J. P. Shelton Trade School."

BE IT RESOLVED by the House of Representatives, the Senate concurring, That the state trade school at Tuscaloosa shall be named, designated, and known as "The J. P. Shelton Trade School."

On motion of Mr. Hawkins the rules were suspended and H.J.R. 6. was adopted.

Also:

By Mr. Hawkins:

H.R. 7. BE IT RESOLVED by the House that the Chairman of the Standing Committee on Ways and Means invite the Senate Finance and Taxation Committee to sit with the Ways and Means Committee of the House at a joint public session at 10 o'clock Wednesday morning, January 26, 1955.

On motion of Mr. Hawkins the rules were suspended and H.R. 7 was adopted.

Also:

By Messrs. Simon and Hawkins:

H.J.R. 8. BE IT RESOLVED by the House of Representatives of Alabama, the Senate concurring:

WHEREAS, the Attorney General of Alabama has established a Legislative Division in the office of the Attorney General for the convenience of the members of the Legislature, to assist them in drafting legislation, and to advise with them on legal questions involved in matters pending before the Legislature; and

WHEREAS, it will better serve the convenience of the members of

the Legislature for the Attorney General, the Chief and the Assistant Chief of the Legislative Division in the office of the Attorney General to be able to confer with members of the Legislature while the Legislature is in session;

NOW, THEREFORE, BE IT RESOLVED that the privileges of the floor of both Houses are accorded the Attorney General, the Chief and the Assistant Chief of the Legislative Division in the office of the Attorney General.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 8 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 4. Relative to adjournment of the two Houses to meet again Friday, January 28, 1955, at 10 o'clock A.M.

J. E. SPEIGHT,
Secretary

REPORT OF LEGISLATIVE COMMITTEE ON THE DEPARTMENT OF EXAMINERS OF PUBLIC ACCOUNTS

The above report was presented by Mr. Kaul and was read and ordered filed.

APPOINTMENT OF SERGEANT AT ARMS

Hon. Gilbert Davis of Pickens County resigned as Assistant Doorkeeper of the House, and the Speaker appointed him Sergeant At Arms.

ELECTION OF ASSISTANT DOORKEEPER

Mr. Dawkins nominated Hon. E. D. Granger of Montgomery County for Assistant Doorkeeper of the House, and those who voted for Mr. Granger are:

Mr. Speaker	Dawkins	Harvey	McKay
Adams	deGraffenried	Hawkins	McLendon
Albea	Dement	Hodges	McNider
Ashworth	DeSear	Holliman	Martin
Bagley	Dickson	Huddleston	Mathews
Bassett	Edwards (Escambia)	Hunt	Mathison
Boyd	Edwards (Jefferson)	Jenkins	Meeks
Bradford	Faulk	Johnson (Elmore)	Molette
Brannan	Ferrell	Johnson (Tallapoosa)	Money
Branyon	Franklin	Kaul	Murphy
Brassell	Gilchrist	Kelly	Nettles
Brewer	Gist	Kendall	Nice
Broadfoot	Goodwyn	Killough	Nolen
Brooks	Gregory	Kirkham	Oakley
Brown (Lamar)	Grouby	Lackey	Oden
Brown (Lee)	Hain	Law	Payne
Burkhalter	Hall	Lee (Barbour)	Perry
Callahan	Haltom	Lee (Lawrence)	Pirkle
Cornett	Hanby	Locke (Choctaw)	Pruitt
Cox	Hardy	Locke (Perry)	Ramey
Crook	Hare	Love	Reynolds
Davis	Harrison	McClendon	Richardson

Roberts	Solomon	Stokes	Tyson
Selman	Speaks	Summerlin	Vacca
Shumate	Steagall	Taylor	Ward
Simon	Stembridge	Thomas	Windle

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Mr. Granger having received all of the votes cast, a majority of the House, was declared duly and constitutionally elected Assistant Doorkeeper of the House for the term prescribed by law.

ADJOURNMENT

On motion of Mr. Hawkins the House adjourned until Friday, January 28, 1955, at ten o'clock A.M.

SECOND DAY

House of Representatives
Montgomery, Alabama
Friday, January 28, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend William Gaines, Priest, Greek Orthodox Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	DeSear	Jenkins	Nettles
Adams	Dickson	Johnson (Elmore)	Nice
Albea	Edwards (Escambia)	Johnson (Tallapoosa)	Nolen
Ashworth	Edwards (Jefferson)	Kaul	Oakley
Bagley	Faulk	Kelly	Oden
Bassett	Ferrell	Kendall	Payne
Boyd	Franklin	Killough	Perry
Bradford	Gilchrist	Kirkham	Pirkle
Brannan	Gist	Lackey	Pruitt
Branyon	Goodwyn	Law	Ramey
Brassell	Gregory	Lee (Barbour)	Richardson
Brewer	Grouby	Lee (Lawrence)	Selman
Broadfoot	Hain	Locke (Choctaw)	Shumate
Brooks	Hall	Locke (Perry)	Simon
Brown (Lamar)	Haltom	Love	Solomon
Brown (Lee)	Hanby	McClendon	Speaks
Burkhalter	Hardy	McKay	Steagall
Callahan	Hare	McLendon	Stembridge
Cornett	Harrison	McNider	Stokes
Cox	Harvey	Martin	Summerlin
Crook	Hawkins	Mathews	Taylor
Davis	Hodges	Meeks	Thomas
Dawkins	Holliman	Molette	Vacca
deGraffenried	Huddleston	Money	Ward
Dement	Hunt	Murphy	Windle

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the first legislative day and finds the same to be correct.

RANKIN FITE,
Chairman

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the first legislative day was approved.

RESOLUTION

The following resolution was introduced:

By Mr. Hawkins:

H.R. 9. BE IT RESOLVED by the House, that each day immediately after the call of counties for the introduction of bills, local uncontested bills on the calendar then be considered.

On motion of Mr. Hawkins the rules were suspended and H.R. 9 was adopted.

BILLS ON SECOND READING

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1. To amend Sections 647, 655, 656 and 657 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to increase the rate of the State Gasoline Excise Tax to eight cents per gallon and so as to make further provisions respecting the distribution of said tax.

H. 2. To amend Section 2 of Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama, entitled "An Act to impose an excise tax upon the sale, distribution, storing, or withdrawal from storage within this State of certain motor fuels when used to operate motor vehicles upon the highways; to define the term motor fuel as used herein; to fix the amount of such tax and to provide for the collection thereof; to provide penalties for the violation of this act; to provide for the expense of administering the provisions hereof; to provide for the disposition of the proceeds of such tax; to authorize the State Department of Revenue to adopt and promulgate rules and regulations with respect to the administration and enforcement of the provisions of this act; to provide for a modification or repeal of laws or portions thereof to the extent of any conflict with the provisions of this Act; to fix the effective date of this act; and to generally provide for the enforcement of the provisions of this act and rules and regulations adopted pursuant thereto" and approved June 27, 1940, as heretofore amended, so as to increase the rate of the tax levied in said act, as amended, to eight cents per gallon.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, With Amendment and they were severally read a second time and placed on the Calendar, to-wit:

H. 3. (With amendment) To authorize the Director of Finance, the Highway Director and the Executive Secretary to the Governor to become a corporation; to prescribe the powers of such corporation, including the power to construct public roads and bridges in the state and to finance such construction by the issuance of its bonds; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and for investment of trust funds, and shall not create an obligation or debt of the state; to provide that all bonds issued by the corporation may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the bonds of such corporation; to make appropriation and pledge of funds necessary to pay the principal of and interest on bonds of such corporation; to authorize such corporation to pledge such funds for payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds, but that said bonds will nevertheless constitute negotiable instruments; to provide that the State Treasurer shall be custodian of funds of said corporation; to confer on said corporation the power of eminent domain; and to provide for the dissolution of such corporation.

H. 9. (with amendment) To amend further Sections 394 and 409, Title 51, Code of Alabama (1940), which relate to income taxes, by providing for a change in the time of filing returns of and paying such tax.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 10. To amend further Section 254 of Title 13 of the Alabama Code of 1940, which relates to Deputy Solicitors of the 13th Judicial Circuit.

Mr. Brassell, Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 22. To validate elections held since June 4, 1951, under the provisions of Article 6 or 7 of Chapter 10, Title 52, Code of Alabama, 1940.

Mr. Adams, Chairman of the Standing Committee on Local Government reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 14. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 4. To repeal Act No. 42 (General Acts of Alabama, 1953, page 56) approved June 3, 1953 entitled "An Act relating to counties having a population of not less than seventy-five thousand (75,000) nor more than ninety thousand (90,000) inhabitants according to the 1950 or any subsequent decennial census of the United States; providing for a perpetual inventory of all property subject to taxation in such counties; directing the Governing Body of every such county to appropriate the

portion of the cost of the inventory borne by the county, and to prorate the portion of the cost borne by the county among the county and each board of education and each municipality in the county; and to appropriate such sum as may be necessary to provide for the portion of the cost of the inventory borne by the State," as amended by Act No. 517, (General Acts of Alabama, 1953, page 651) approved September 3, 1953, entitled 'An Act to Amend Act No. 42, S. 119, approved June 3, 1953, entitled "An Act relating to counties having a population of not less than seventy-five thousand (75,000), nor more than ninety thousand (90,000) inhabitants according to the 1950 or any subsequent decennial census of the United States; providing for a perpetual inventory of all property subject to taxation in such counties; directing the governing body of every such county to appropriate the portion of the cost of the inventory borne by the county, and to prorate the portion of the cost borne by the county among the county and each board of education, and each municipality in the county; and to appropriate such sum as may be necessary to provide for the portion of the cost of the inventory borne by the State.'"

H. 5. To reorganize the government of Cullman County to promote economy and efficiency, abolishing the Board of Commissioners and Control, creating in lieu thereof a county commission, transferring certain county functions in relation to the construction, repair, and maintenance of public roads and bridges to the State Highway Department.

H. 6. Relating to Cullman County: Creating the Cullman County Commission on Education to administer the public school laws, supervise the public school system, and promote the educational interests of the county, limiting the jurisdiction of the Commission to schools not subject to the jurisdiction of the City of Cullman or any of its instrumentalities; abolishing the board of education of Cullman County and the office of county superintendent of education; providing for the election of members of the Commission and for the election of a superintendent of county schools, fixing their terms, qualifications, and compensation, and prescribing their powers and duties.

H. 7. Relating to Escambia County: Creating the office of Commissioner of Education of Escambia County to administer the public school laws, supervise the public school system, and promote the educational interests of the county; abolishing the office of the county superintendent of education; transferring the duties, powers and authority of the superintendent of education to the Commissioner of Education.

H. 8. Relating to Covington County: To provide for expenditures for tangibles and services from the fine and forfeiture fund of Covington County, Alabama; to repeal all laws or parts thereof in conflict herewith; and to fix the effective date hereof.

H. 15. To make an appropriation out of the general funds of Tuscaloosa County, for the relief of Charlie Jones, an employee of Tuscaloosa County, who was injured while performing his duty.

H. 20. For the relief of William Thomas Smith and to make an appropriation out of the general fund of Tuscaloosa County, Alabama, for the relief of William Thomas Smith, an employee of Tuscaloosa County, who was injured while performing his duty.

H. 21. To extend, alter and rearrange the boundary lines and corporate limits of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

H. 23. To amend Section 27 of Act No. 813, S. 662, approved September 11, 1951, (Acts of Alabama 1950-1951, pages 1426-1447), which relates to providing for and prescribing the form of government for all

cities of Alabama having a population of not less than 75,000 nor more than 125,000 inhabitants according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census by more particularly defining the employees covered thereunder.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Hanby and Hawkins:

H. 25. To provide for the appointment of deputy circuit solicitors in the Sixteenth Judicial Circuit, and for the payment of their compensation.

Ways and Means

By Messrs. Harrison, Ashworth, Windle, Richardson, Payne, McKay, Hardy, Molette, Solomon, Thomas, DeSear, Perry, Nice, Meeks, Lackey, Locke (Choctaw), Crock, Vacca, Kaul and McLendon:

H. 26. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding \$75,000,000 principal amount of general obligation bonds of the State of Alabama additionally secured by pledge of a portion of the gasoline excise tax of the state, the proceeds of which bonds shall be used only for supplying the state's share of the cost of acquiring, constructing or improving public roads, highways, and bridges in the state in conjunction with the United States, and toward the cost of which funds have heretofore been or may hereafter be allocated to the state under the provisions of any law of the United States now in effect or hereafter enacted.

Ways and Means

The above bill was read a first time at length as required by the Constitution.

By Messrs. Harrison, Ashworth, Windle, Richardson, Payne, McKay, Hardy, Molette, Solomon, Thomas, Kendall, DeSear, Perry, Nice, Meeks, Lackey, Locke (Choctaw), Vacca, Crook, Kaul and McLendon:

H. 27. To authorize the issuance of not exceeding \$75,000,000 principal amount of general obligation bonds for the State of Alabama, and to levy a tax on gasoline for the purpose of additional security for the payment of said bonds, the proceeds from which shall be used solely for supplying the state's share of the cost of acquiring, constructing, or improving public roads, highways, and bridges in the state in conjunction with the United States; to create a sinking fund for payment of said bonds; and to provide for the terms, specifications, execution, sale and issuance of said bonds and disposition of the proceeds thereof.

Ways and Means

By Messrs. Perry, Vacca, Huddleston, Stokes, Kaul, Brewer, Nice and Meeks:

H. 28. To provide for distribution of codes and code supplements, authorizing and directing the Secretary of State to supply certain legal-aid offices with codes and code supplements.

Ways and Means

Mr. Speaker:

By Messrs. Callahan and deGraffenried:

H. 29. Relating to the Sixth Judicial Circuit of Alabama, composed of Tuscaloosa County; and providing for and fixing the salary of the Official Court Reporters of such Judicial Circuit and providing for the payment thereof; and providing that said Court Reporters shall in addition receive the same fees for transcribing and writing up testimony and evidence taken by them as provided by law for other Court Reporters.

Way and Means

By Messrs. Callahan and deGraffenried:

H. 30. To provide for the appointment and tenure and fixing the compensation of Bailiffs for Circuit Courts of Alabama in Circuits composed of one County and having two Circuit Judges.

Ways and Means

By Messrs. Callahan and deGraffenried:

H. 31. To fix the salary of the Deputy Circuit Solicitor of the Sixth Judicial Circuit.

Ways and Means

By Messrs. Callahan and deGraffenried:

H. 32. Relating to the authority of the Circuit Solicitor of the Sixth Judicial Circuit.

Judiciary

By Messrs. Faulk, Richardson, Ramey, Martin, Harrison, Pruitt, Ashworth, Bagley, Albea, Perry, Boyd, Crook, McLendon, Brannan, Kendall, Kaul, Oakley, Nettles, Lackey, Edwards (Jefferson), Branyon, Hanby, McNider, Payne, Bradford, Locke (Perry), Windle, Roberts, DeSear, Meeks, Solomon, Nice, Vacca, Brown (Lee), McClendon, Hardy, McKay, Locke (Choctaw), Molette, Franklin, Jenkins, Hain, and Killough:

H. 33. To fix the expense allowance of members of the Legislature at ten dollars per day.

Rules

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H.J.R. 5. Memorializing the memory of the Hon. J. P. Shelton, and extending sympathy to the members of his family.

Also:

H.J.R. 6. Naming the State Trade School at Tuscaloosa "The J. P. Shelton Trade School."

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint

Resolution and returns same herewith to the House:

H.J.R. 8. Relative to extending the privileges of the floor of both Houses to the Attorney General, the Chief and the Assistant Chief, of the Legislative Division, in the office of the Attorney General.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Messrs. Engelhardt, Lamberth, Roberts, Coleman, Givhan, Cooper, Flowers and Metcalf:

S.J.R. 2. BE IT RESOLVED by the Senate, the House of Representatives concurring, That the Legislature of Alabama does hereby commend, and expresses its thanks to, the officers and members of the Highway Patrol and the officers and members of the Police and Fire Departments of the City of Montgomery, for their co-operation and fine assistance in making Inauguration Day, January 17, 1955, safe and orderly.

RESOLVED FURTHER, that copies of this resolve be released to representatives of the press, and that copies be sent to the chiefs of the Police and Fire Departments of the City of Montgomery and Chief of the Highway Patrol.

Also:

By Messrs. Engelhardt, Lamberth, Roberts, Coleman, Givhan, Flowers, Metcalf and Cooper:

S.J.R. 3. BE IT RESOLVED by the Senate, the House of Representatives concurring, That the Legislature of Alabama does hereby commend, and express its thanks to representatives of the press and to the radio and television stations of Alabama, and especially to WCOV-TV, WABT-TV, WALA-TV, WSFA-TV, and WBRC-TV, for the splendid coverage given to the historic ceremonies and festivities of Inauguration Day, January 17, 1955.

RESOLVED ALSO, that copies of this Resolution be released to representatives of the press, and that copies be sent to the television stations herein named.

Also:

By Messrs. Engelhardt, Lamberth, Roberts, Coleman, Givhan, Flowers, Metcalf and Cooper:

S.J.R. 4. WHEREAS the Inaugural Parade and the festivities of Inauguration Day were perfectly scheduled, managed, and conducted; and

WHEREAS the officials and other persons responsible for the arranging and effectuating these historic ceremonies are to be lauded and acclaimed for their splendid efforts and success in this behalf; now therefore,

BE IT RESOLVED by the Senate, the House of Representatives Concurring, That the Legislature of Alabama does hereby commend, and express its thanks to the Inaugural Committee and all officers of the

State, counties, and cities, and especially to the Hon. Charles M. Pinkston and the Hon. Pleas Looney, for the perfection of this auspicious occasion.

RESOLVED FURTHER that copies of this resolution be sent to Mr. Pinkston and Mr. Looney, and that copies be released to representatives of the press.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 2 set out in the above and foregoing Message from the Senate.

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 3 set out in the above and foregoing Message from the Senate.

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 4 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Goodwin:

S.J.R. 5. BE IT RESOLVED by the Senate of Alabama, the House of Representatives concurring: That the Legislature notes with deep regret the recent death of the Mother of Senator G. Kyser Leonard and, hereby extends its sincere sympathy to Senator Leonard and his family for their loss at her passing.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 5 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Lamberth:

S.J.R. 6. WHEREAS, the Honorable Albert L. Patterson was formerly a member of this House of the Legislature of Alabama, having served in a highly distinguished manner as Senator from the Twenty-Seventh District; and

WHEREAS, he long had been identified as a leader in the fight against crime and corruption in the State of Alabama; and

WHEREAS, he successfully sought nomination as Democratic can-

didate for Attorney General of this State, and died a martyr to the cause of good government in Alabama before he could assume office; and

WHEREAS, the people of Alabama suffered a grievous loss in the death of Albert L. Patterson; now therefore,

BE IT RESOLVED by the Senate of Alabama, the House of Representatives concurring:

That the Legislature of Alabama does hereby unite in honoring the courage, character, integrity, and honorable motives of the late Albert L. Patterson and does extend its sympathy to his family.

BE IT RESOLVED FURTHER, that a copy of this resolution be spread upon the journals of the two houses of the Legislature, and that a copy of the resolution be transmitted by the Secretary of the Senate to the surviving members of the family of Albert L. Patterson.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 6 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration: By Messrs. Goodwin and Allen:

S.J.R. 7. WHEREAS, death has come to the Honorable N. C. Denton, who served ably in this Legislature during two terms as Representative from Blount County; and

WHEREAS, Dr. Denton labored throughout his life in the service of his fellow men, as a practicing physician and as a distinguished public servant; and

WHEREAS, the members feel a deep sense of loss at his passing; now, therefore,

BE IT RESOLVED by the Senate of Alabama, the House of Representatives concurring:

That the members of the Legislature of Alabama mourn the death of the Honorable N. C. Denton and express their heartfelt sympathy to the surviving members of his family.

BE IT RESOLVED FURTHER, that a copy of this resolution be spread upon the journals of the two houses of the Legislature, and that a copy of this resolution be transmitted by the Secretary of the Senate to the family of Dr. N. C. Denton.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 7 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Grisham, Boutwell, Robison, Skidmore and Eddins:

S.J.R. 8. WHEREAS the State of Alabama has suffered a great loss in the untimely death of the Honorable W. Amos Jones, former State Senator from the First Senatorial District, who by his pleasant and amiable bearing as a Senator, and his ability, tact and unquestionable integrity ably served his district in this body and thereby endeared himself to his co-workers and constituents.

THEREFORE BE IT RESOLVED by the Senate, the House of Representatives concurring, That the two Houses of the Legislature of Alabama unite in honoring the character, ability, and patriotic motives of the late W. Amos Jones and extend sympathy to his family.

That the Secretary of the Senate is directed to communicate these resolves to the family and transmit to them a duly authenticate copy hereof.

J. E. SPEIGHT
Secretary

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 8 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration: By Mr. Givhan:

S.J.R. 9. Relating to reduction of the tariff on textiles.

WHEREAS the textile industry is a basic industry of the State of Alabama and for many years has provided employment and a means of livelihood for a large number of Alabama citizens; and

WHEREAS textile products made in Japan and other foreign countries are already underselling textile products manufactured in Alabama and the United States, because of a much lower scale of wages paid to textile workers in Japan and other foreign countries, resulting in more unemployment and less income among textile workers in Alabama and the United States; and

WHEREAS the President of the United States has proposed a 15 per cent reduction in the tariff levied on imported textile goods; and

WHEREAS a further reduction in the tariff levied on imported textile goods will cause an even greater flow of imported textile goods into Alabama and the United States, thereby increasing unemployment among Alabama textile workers, and threatening the economy of many Alabama cities and towns bilt around textile industries; now therefore,

BE IT RESOLVED by the Senate, the House of Representatives con-

curing, That the Legislature of Alabama does respectfully urge the members of Congress from this State to withhold approval of any proposal to reduce the tariff on imported textile goods, and to exert all their energies and influence in inducing Congress to enact legislation providing for a system of quotas on textile imports similar to the system of quotas on immigration, thereby protecting textile workers in Alabama and the United States against any loss in income or employment resulting from cheap immigrant labor or imported textile goods.

RESOLVED FURTHER, That the Secretary of the Senate be directed to transmit a copy of this Resolution to each member of Alabama's congressional delegation.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Hanby the rules were suspended and the House concurred in and adopted the S.J.R. 9 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Lamberth:

S.J.R. 13. RESOLVED by the Senate, the House concurring, that when the two houses adjourn today, they adjourn to meet again on Tuesday, Feb. 1st, 1955, at ten o'clock A.M.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 13 set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Messrs. Brewer, Lee (Lawrence), Dement and Gilchrist:

H.J.R. 10. BE IT RESOLVED by the House of Representatives, the Senate concurring:

WHEREAS, General Joseph Wheeler, lawyer, planter, author, member of Congress, and distinguished soldier, did make outstanding contributions to his beloved State and Country in unselfish and untiring service; and,

WHEREAS, General Joseph Wheeler was the paragon of the true patriot; and,

WHEREAS, the memory of such an outstanding person is the subject of honor and devotion and can best be expressed and commemorated by the issuance of a commemorative stamp in his honor;

NOW THEREFORE, BE IT RESOLVED by the House of Represent-

atives, the Senate concurring, that the Postmaster-General of the United States be requested to issue a commemorative stamp in honor of the memory of General Joseph Wheeler.

AND BE IT RESOLVED FURTHER, That the Clerk of the House is hereby directed to transmit forthwith a copy of this resolution to the Postmaster-General of the United States.

On motion of Mr. Brewer the rules were suspended and H.J.R. 10 was adopted.

ADJOURNMENT

On motion of Mr. Hawkins the House adjourned until Tuesday, February 1, 1955, at ten o'clock A.M.

THIRD DAY

House of Representatives
Montgomery, Alabama
Tuesday, February 1, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Colonel Robert P. Taylor, Chaplain, Maxwell Air Force Base, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Dickson	Johnson (Tallapoosa)	Oakley
Adams	Edwards (Escambia)	Kaul	Oden
Albea	Edwards (Jefferson)	Kelly	Payne
Ashworth	Faulk	Kendall	Perry
Bagley	Ferrell	Killough	Pirkle
Bassett	Franklin	Kirkham	Pruitt
Boyd	Gilchrist	Lackey	Ramey
Bradford	Gist	Law	Reynolds
Brannan	Goodwyn	Lee (Barbour)	Richardson
Branyon	Gregory	Lee (Lawrence)	Roberts
Erassell	Grouby	Locke (Choctaw)	Selman
Brewer	Hain	Locke (Perry)	Shumate
Broadfoot	Hall	Love	Simon
Brooks	Haltom	McClendon	Solomon
Brown (Lamar)	Hanby	McKay	Speaks
Brown (Lee)	Hardy	McLendon	Steagall
Burkhalter	Hare	McNider	Stembridge
Callahan	Harrison	Martin	Stokes
Cornett	Harvey	Mathews	Summerlin
Cox	Hawkins	Meeks	Taylor
Crook	Hodges	Molette	Thomas
Davis	Holliman	Money	Tyson
Dawkins	Huddleston	Murphy	Vacca
deGraffenried	Hunt	Nettles	Ward
Dement	Jenkins	Nice	Windle
DeSear	Johnson (Elmore)	Nolen	Wood

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the second legislative day and finds the same to be correct.

RANKIN FITE,
Chairman

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the second legislative day was approved.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions to-wit:

H.J.R. 5. Relative to memorializing the Honorable J. P. Shelton, deceased, former member of the House of Representatives, and extending sympathy to the members of his family.

Also:

H.J.R. 6. Relative to naming and designating the state trade school at Tuscaloosa "The J. P. Shelton Trade School".

Also:

H.J.R. 8. Relative to establishing a Legislative Division in the office of the Attorney General.

And finds same correctly enrolled.

RANKIN FITE,
Chairman

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S.J.R. 2. Relative to an expression of thanks to the officers and members of the Highway Patrol and the officers and members of the Police and Fire Departments of the City of Montgomery for their co-operation in the Inaugural Day ceremonies.

Also:

S.J.R. 3. Relative to an expression of thanks to the Representatives

of the Press and the Stations WCOV-TV, WABT-TV, WALA-TV, and WBRC-TV, for Inauguration Day coverage.

Also:

S.J.R. 4. Relative to an expression of thanks to the Inaugural Committee and State and County Officers, and Charles M. Pinkston and Pleas Looney in particular, for the perfectly managed and conducted Inaugural ceremonies.

Also:

S.J.R. 5. Relative to expression of sympathy to Senator Kyser Leonard and his family in the death of his mother.

Also:

S.J.R. 6. Relative to expression of sympathy to the family of Albert L. Patterson in the loss by death of a distinguished Alabama citizen.

Also:

S.J.R. 7. Relative to sympathy to the surviving members of the family in the death of Dr. N. C. Denton, a former member of the Legislature.

Also:

S.J.R. 8. Relative to expression of sympathy to the family of the late W. Amos Jones, a former State Senator.

Also:

S.J.R. 9. Relative to reduction of tariff on textiles.

J. E. SPEIGHT,
Secretary

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles to which are set out in the above and foregoing Message from the Senate.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees as follows:

By Mr. Simon:

H. 34. Authorizing state banks situated in counties having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or subsequent federal decennial census, to establish, maintain and operate branch banks, branch offices, or other places of business within the corporate limits of the city or town in which the principal place of business of the bank is situated, by and with the approval of the superintendent of banks.

Local Legislation No. 1.

By Mr. Kirkham:

H. 35. Relating to counties with populations of not less than 29,350

nor more than 30,350 inhabitants: to provide a clerk for the tax collector and tax assessor of such counties, fixing the salaries of each of such clerks and the method of payment of such salaries out of the general funds of such counties.

Local Legislation No. 1.

By Messrs. Adams, Johnson (Tallapoosa), and Hawkins:

H. 36. To provide further for the place of payment of privilege or license taxes due and payable under subsection (b) of Section 619, Title 51, Alabama Code 1940, as amended, when an additional indebtedness is incurred under a mortgage, deed of trust, contract of conditional sale, or other instrument of like character previously given to secure the payment of any debt and filed for record in any county of Alabama; to provide further for the terms and conditions of a bond required to be executed to secure such payment; and to give such provisions retroactive effect.

Judiciary.

By Messrs. Callahan and deGraffenried:

H. 37. To apply in, but only in counties having a population of not less than 94,000 nor more than 134,000, according to the last or any subsequent federal decennial census; to provide for the attendance of polio victims at the nearest public school without the payment of certain special fees.

Local Legislation No. 1.

BILLS ON THIRD READING

H. 4. To repeal Act No. 42 (General Acts of Alabama, 1953, page 56) approved June 3, 1953, entitled "An Act relating to counties having a population of not less than seventy-five thousand (75,000) nor more than ninety thousand (90,000) inhabitants according to the 1950 or any subsequent decennial census of the United States; providing for a perpetual inventory of all property subject to taxation in such counties; directing the Governing Body of every such county to appropriate the portion of the cost of the inventory borne by the county, and to prorate the portion of the cost borne by the county among the county and each board of education and each municipality in the county and to appropriate such sum as may be necessary to provide for the portion of the cost of the inventory borne by the State," as amended by Act No. 517, (General Acts of Alabama, 1953, page 651) approved September 3, 1953, entitled "An Act to Amend Act No. 42, S. 119, approved June 3, 1953, entitled 'An Act relating to counties having a population of not less than seventy-five thousand (75,000), nor more than ninety thousand (90,000) inhabitants according to the 1950 or any subsequent decennial census of the United States; providing for a perpetual inventory of all property subject to taxation in such counties; directing the governing body of every such county to appropriate the portion of the cost of the inventory borne by the county, and to prorate the portion of the cost borne by the county among the county and each board of education, and each municipality in the county; and to appropriate such sum as may be necessary to provide for the portion of the cost of the inventory borne by the State.'"

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	DeSear	Jenkins	Oden
Adams	Dickson	Johnson (Elmore)	Payne
Albea	Edwards (Escambia)	Johnson (Tallapoosa)	Perry
Ashworth	Edwards (Jefferson)	Kelly	Pirkle
Bagley	Faulk	Kendall	Pruitt
Bassett	Ferrell	Kirkham	Ramey
Boyd	Franklin	Lackey	Reynolds
Bradford	Gilchrist	Law	Richardson
Brannan	Gist	Lee (Barbour)	Roberts
Branyon	Goodwyn	Lee (Lawrence)	Selman
Brassell	Gregory	Locke (Choctaw)	Shumate
Brewer	Grouby	Love	Simon
Broadfoot	Hain	McClendon	Solomon
Brooks	Hall	McKay	Speaks
Brown (Lamar)	Haltom	McLendon	Steagall
Brown (Lee)	Hanby	McNider	Stembridge
Burkhalter	Hardy	Martin	Stokes
Callahan	Hare	Meeks	Taylor
Cornett	Harrison	Molette	Thomas
Cox	Harvey	Money	Tyson
Crook	Hawkins	Murphy	Vacca
Davis	Hodges	Nettles	Ward
deGraffenried	Holliman	Nice	Windle
Dement	Hunt	Oakley	Wood

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And the bill:

H. 5. To reorganize the government of Cullman County to promote economy and efficiency, abolishing the Board of Commissioners and Control, creating in lieu thereof a county commission, transferring certain county functions in relation to the construction, repair, and maintenance of public roads and bridges to the State Highway Department.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Callahan	Gregory	Kirkham
Adams	Cornett	Grouby	Lackey
Albea	Cox	Hain	Law
Ashworth	Crook	Hall	Lee (Barbour)
Bagley	Davis	Haltom	Lee (Lawrence)
Bassett	Dawkins	Hanby	Locke (Choctaw)
Boyd	deGraffenried	Hardy	Love
Bradford	Dement	Harrison	McClendon
Brannan	Dickson	Harvey	McKay
Branyon	Edwards (Escambia)	Hawkins	McNider
Brassell	Edwards (Jefferson)	Hodges	Meeks
Brewer	Faulk	Holliman	Molette
Broadfoot	Ferrell	Huddleston	Money
Brooks	Franklin	Jenkins	Murphy
Brown (Lamar)	Gilchrist	Johnson (Elmore)	Nettles
Brown (Lee)	Gist	Johnson (Tallapoosa)	Oakley
Burkhalter	Goodwyn	Kendall	Oden

Payne	Roberts	Stembridge	Vacca
Perry	Selman	Stokes	Ward
Pirkle	Shumate	Taylor	Windle
Pruitt	Simon	Thomas	Wood
Ramey	Speaks	Tyson	
Reynolds	Steagall		

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And the bill:

H. 6. Relating to Cullman County: Creating the Cullman County Commission on Education to administer the public school laws, supervise the public school system, and promote the educational interests of the county, limiting the jurisdiction of the Commission to schools not subject to the jurisdiction of the City of Cullman or any of its instrumentalities; abolishing the board of education of Cullman County and the office of county superintendent of education; providing for the election of members of the Commission and for the election of a superintendent of county schools, fixing their terms, qualifications, and compensation, and prescribing their powers and duties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Dement	Holliman	Oden
Adams	DeSear	Huddleston	Payne
Albea	Dickson	Jenkins	Pirkle
Ashworth	Edwards ^(Escambia)	Johnson ^(Elmore)	Pruitt
Bassett	Edwards ^(Jefferson)	Johnson ^(Tallapoosa)	Ramey
Boyd	Faulk	Kendall	Reynolds
Brædford	Ferrell	Kirkham	Roberts
Brannan	Franklin	Lackey	Selman
Branyon	Gilchrist	Law	Shumate
Brassell	Gist	Lee ^(Barbour)	Simon
Brewer	Gregory	Lee ^(Lawrence)	Speaks
Broadfoot	Grouby	Locke ^(Choctaw)	Steagall
Brooks	Hain	Love	Stembridge
Brown ^(Lamar)	Hall	McClendon	Stokes
Burkhalter	Haltom	McKay	Taylor
Callahan	Hanby	McNider	Thomas
Cornett	Hardy	Molette	Tyson
Cox	Hare	Money	Vacca
Crook	Harrison	Murphy	Ward
Davis	Harvey	Nettles	Windle
Dawkins	Hawkins	Oakley	Wood
deGraffenried	Hodges		

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And the bill:

H. 7. Relating to Escambia County: Creating the office of Commissioner of Education of Escambia County to administer the public school laws, supervise the public school system, and promote the educational interests of the county; abolishing the office of the county superintendent of education; transferring the duties, powers and authority of the superintendent of education to the Commissioner of Education.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Simon	Stembridge	Thomas	Ward
Solomon	Stokes	Tyson	Windle
Speaks	Taylor	Vacca	Wood
Steagall			

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And the bill:

H. 15. To make an appropriation out of the general funds of Tuscaloosa County, for the relief of Charlie Jones, an employee of Tuscaloosa County, who was injured while performing his duty.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Mr. Speaker	DeSear	Hunt	Perry
Adams	Dickson	Jenkins	Pirkle
Albea	Edwards ^(Escambia)	Johnson ^(Elmore)	Pruitt
Ashworth	Edwards ^(Jefferson)	Johnson ^(Tallapoosa)	Ramey
Bagley	Ferrell	Kelly	Reynolds
Bassett	Franklin	Kendall	Richardson
Boyd	Gilchrist	Killough	Roberts
Bradford	Gist	Law	Selman
Brannan	Goodwyn	Lee ^(Barbour)	Shumate
Branyon	Gregory	Lee ^(Lawrence)	Simon
Brassell	Grouby	Locke ^(Choctaw)	Solomon
Brewer	Hain	Locke ^(Perry)	Speaks
Broadfoot	Hall	Love	Steagall
Brooks	Haltom	McClendon	Summerlin
Brown ^(Lamar)	Hanby	McKay	Stokes
Burkhalter	Hardy	McLendon	Taylor
Callahan	Hare	McNider	Thomas
Cornett	Harrison	Molette	Tyson
Cox	Harvey	Money	Vacca
Crook	Hawkins	Murphy	Ward
Davis	Hodges	Nice	Windle
deGraffenried	Holliman	Oden	Wood
Dement	Huddleston	Payne	

—91

And the bill:

H. 20. For the relief of William Thomas Smith and to make an appropriation out of the general fund of Tuscaloosa County, Alabama, for the relief of William Thomas Smith, an employee of Tuscaloosa County, who was injured while performing his duty.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Bradford	Brown ^(Lamar)	Dement
Adams	Brannan	Burkhalter	DeSear
Albea	Branyon	Callahan	Dickson
Ashworth	Brassell	Cornett	Edwards ^(Escambia)
Bagley	Brewer	Cox	Edwards ^(Jefferson)
Bassett	Broadfoot	Crook	Faulk
Boyd	Brooks	deGraffenried	Ferrell

Franklin	Hunt	McLendon	Selman
Gilchrist	Jenkins	McNider	Shumate
Gist	Johnson (Elmore)	Meeks	Simon
Goodwyn	Johnson (Tallapoosa)	Molette	Solomon
Gregory	Kelly	Money	Speaks
Grouby	Kendall	Murphy	Steagall
Hain	Killough	Nice	Stembridge
Hall	Kirkham	Oden	Stokes
Haltom	Law	Payne	Taylor
Hanby	Lee (Barbour)	Perry	Thomas
Hardy	Lee (Lawrence)	Pirkle	Tyson
Harrison	Locke (Choctaw)	Pruitt	Vacca
Harvey	Locke (Perry)	Ramey	Ward
Hawkins	Love	Reynolds	Windle
Hodges	McClendon	Richardson	Wood
Holliman	McKay	Roberts	

—91

And the bill:

H. 21. To extend, alter and rearrange the boundary lines and corporate limits of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Elmore)	Payne
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Perry
Albea	Edwards (Jefferson)	Kelly	Pirkle
Ashworth	Faulk	Kendall	Pruitt
Bagley	Ferrell	Killough	Ramey
Bassett	Franklin	Kirkham	Reynolds
Boyd	Gilchrist	Law	Richardson
Bradford	Gist	Lee (Barbour)	Roberts
Brannan	Goodwyn	Lee (Lawrence)	Selman
Branyon	Gregory	Locke (Choctaw)	Shumate
Brassell	Grouby	Locke (Perry)	Simon
Brewer	Hain	Love	Solomon
Broadfoot	Hall	McClendon	Speaks
Brooks	Haltom	McKay	Steagall
Brown (Lamar)	Hanby	McLendon	Stembridge
Burkhalter	Hardy	McNider	Stokes
Callahan	Harrison	Mathews	Summerlin
Cornett	Harvey	Meeks	Taylor
Cox	Hawkins	Molette	Thomas
Crook	Hodges	Money	Tyson
Davis	Holliman	Murphy	Vacca
deGraffenried	Huddleston	Nettles	Ward
Dement	Hunt	Oakley	Windle
DeSear	Jenkins	Oden	Wood

—96

And the bill:

H. 23. To amend Section 27 of Act No. 813, S. 662, approved September 11, 1951, (Acts of Alabama 1950-1951, pages 1426-1447), which relates to providing for and prescribing the form of government for all cities

of Alabama having a population of not less than 75,000 nor more than 125,000 inhabitants according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census by more particularly defining the employees covered thereunder.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	DeSear	Jenkins	Payne
Adams	Dickson	Johnson ^(Elmore)	Perry
Albea	Edwards ^(Escambia)	Johnson ^(Tallapoosa)	Pirkle
Ashworth	Edwards ^(Jefferson)	Kendall	Pruitt
Bagley	Faulk	Killough	Ramey
Bassett	Ferrell	Kirkham	Reynolds
Boyd	Franklin	Law	Richardson
Bradford	Gilchrist	Lee ^(Barbour)	Roberts
Brannan	Gist	Lee ^(Lawrence)	Selman
Branyon	Goodwyn	Locke ^(Choctaw)	Shumate
Brassell	Gregory	Locke ^(Perry)	Simon
Brewer	Grouby	Love	Solomon
Broadfoot	Hain	McClendon	Speaks
Brooks	Hall	McKay	Steagall
Brown ^(Lamar)	Haltom	McLendon	Stembridge
Brown ^(Lee)	Hanby	McNider	Stokes
Burkhalter	Hardy	Mathews	Summerlin
Callahan	Hare	Meeks	Taylor
Cornett	Harrison	Molette	Thomas
Cox	Harvey	Money	Tyson
Crook	Hawkins	Murphy	Vacca
Davis	Hodges	Nettles	Ward
Dawkins	Holliman	Oakley	Windle
deGraffenried	Huddleston	Oden	Wood
Dement	Hunt		

—98

And the bill:

H. 1. To amend Sections 647, 655, 656 and 657 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to increase the rate of the State Gasoline Excise Tax to eight cents per gallon and so as to make further provisions respecting the distribution of said tax.

Was taken up.

Messrs. Dawkins and Kendall offered the following amendment to the bill, H. 1.

Amend House Bill No. 1 as follows:

In Section 2 of said bill immediately following the words "shall be paid into the treasury to the credit of the sixty-seven counties in the state" insert the words: "and shall be divided and distributed equally among the sixty-seven counties of this state".

And the amendment was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Albea	Bagley	Boyd
Adams	Ashworth	Bassett	Bradford

Brannan	Gist	Kirkham	Pruitt
Branyon	Goodwyn	Lackey	Ramey
Brassell	Gregory	Law	Reynolds
Brewer	Grouby	Lee (Barbour)	Richardson
Broadfoot	Hain	Lee (Lawrence)	Roberts
Brooks	Hall	Locke (Choctaw)	Selman
Brown (Lamar)	Haltom	Locke (Perry)	Shumate
Burkhalter	Hardy	Love	Simon
Callahan	Hare	McClendon	Solomon
Cornett	Harrison	McKay	Speaks
Crook	Harvey	McLendon	Steagall
Davis	Hawkins	McNider	Stembridge
Dawkins	Hodges	Martin	Stokes
deGraffenried	Holliman	Mathews	Summerlin
Dement	Hunt	Molette	Taylor
DeSear	Jenkins	Money	Thomas
Dickson	Johnson (Elmore)	Murphy	Tyson
Edwards (Escambia)	Johnson (Tallapoosa)	Oakley	Vacca
Faulk	Kelly	Oden	Ward
Ferrell	Kendall	Payne	Wood
Gilchrist	Killough	Pirkle	

—91

Mr. Brannan offered the following amendment to the bill, H. 1., as amended:

Amend the title and body of House Bill No. 1 by striking therefrom the words "eight cents per gallon" where ever the same appears therein, and substituting in lieu thereof the words "seven cents per gallon."

The motion of Mr. Dawkins to lay on the table the amendment offered by Mr. Brannan was lost.

Yeas 49; Nays 54.

Yeas:

Mr. Speaker	Dement	Huddleston	Murphy
Adams	Edwards (Escambia)	Johnson (Elmore)	Oden
Bassett	Ferrell	Johnson (Tallapoosa)	Selman
Bradford	Gilchrist	Kelly	Shumate
Branyon	Gist	Kirkham	Simon
Brassell	Gregory	Law	Speaks
Brewer	Grouby	Lee (Barbour)	Steagall
Broadfoot	Hall	Lee (Lawrence)	Stembridge
Brown (Lamar)	Haltom	Love	Summerlin
Burkhalter	Hare	McNider	Tyson
Cornett	Hawkins	Mathews	Ward
Cox	Hodges	Money	Wood
Davis			

—49

Nays:

Messrs.:	Crook	Hain	Kendall
Albea	Dawkins	Hanby	Killough
Ashworth	deGraffenried	Hardy	Lackey
Bagley	DeSear	Harrison	Locke (Choctaw)
Boyd	Dickson	Harvey	Locke (Perry)
Brannan	Edwards (Jefferson)	Holliman	McClendon
Brooks	Faulk	Hunt	McKay
Brown (Lee)	Franklin	Jenkins	McLendon
Callahan	Goodwyn	Kaul	Martin

Meeks	Oakley	Ramey	Stokes
Molette	Payne	Reynolds	Thomas
Nettles	Perry	Richardson	Vacca
Nice	Pirkle	Roberts	Windle
Nolen	Pruitt	Solomon	

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RECESS

On motion of Mr. Hawkins the House recessed until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:00 o'clock P.M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 10. Requesting the Postmaster General of the United States to issue commemorative stamp in honor of the memory of General Joseph Wheeler.

J. F. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Eddins:

S. 1. Relating to Marengo County; to amend Section 2 of an Act approved September 19, 1923, entitled "An Act to establish a Board of Revenue for Marengo County, and for the abolishment of the Court of County Commissioners of said County" (Act No. 311, p. 188, Local Acts of Alabama, 1923).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF MARENGO

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marengo County; to amend Section 2 of an Act approved September 19, 1923, entitled "An Act to establish a Board of Revenue for Marengo County, and for the abolishment of the Court of County Commissioners of said County" (Act No. 311, p. 188, Local Acts of Alabama, 1923).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 2 of an Act approved September 19, 1923, entitled "An Act to establish a Board of Revenue of Marengo County, and for the abolishment of the Court of County Commissioners of said County" (Act No. 311, p. 188, Local Acts of Alabama, 1923), is amended to read as follows:

"Section 2. At the general election of 1956, and every four years thereafter, there shall be elected by the qualified electors of the county a president of the Board of Revenue and one member for each of the four districts of the county as herein provided; and they shall hold office for the term of four years from the first Monday after the second Tuesday in January next after their election, and until their successors are elected and qualified. The four board of revenue districts shall be constituted and composed of the election precincts of this county as now constituted or as they may hereafter be changed as required by law. The four districts shall be designated as follows: The Northeastern District, the Southeastern District, the Southwestern District and the Northwestern District. These districts shall be composed of the following election precincts as follows: Northeastern District — Faunsdale, Macon, Dayton, Thomaston and McKinley precincts; Southeastern District — Magnolia, Pineville, Dixon's Mills and Shiloh precincts; Southwestern District — Myrtlewood, Hills, Nanafalia, Horse Creek, Hoboken, and Sweet Water precincts; Northwestern District — Demopolis, Jefferson, Spring Hill, Jackson's Store, and Linden precincts. The members of the Board of Revenue shall be, at the time of their appointment or election, and during their continuance in office, qualified electors of Marengo County, and each shall have been a resident of the district for two years next preceding his election or appointment."

Sec. 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Dec. 23-30, Jan. 6-13 c

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. E. Sutton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Democrat Reporter, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 23, 1954, December, 30, 1954, January 6, 1955, and January 13, 1955, all in the years 1954-1955.

R. E. SUTTON,
Publisher

Sworn to and subscribed before me this 14th day of Jan., 1955.

J.N.O. W. LOMBARD

Notary Public

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 1. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Yarbrough (Randolph):

S. 3. To validate elections held since June 4, 1951, under the provisions of Article 6 or 7 of Chapter 10, Title 52, Code of Alabama, 1940.

Also:

By Mr. Cooper:

S. 7. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Also:

By Mr. Robison:

S. 8. To amend Section 1 of Act No. 311, approved July 31, 1951, which fixes the compensation of the Sheriff in counties of more than 96,000 population and less than 140,000 population, according to the last Federal census or any subsequent Federal census and provides for help and assistance and other expenses necessary to the conduct of the office of Sheriff, by providing for the appointment of the Chief Deputy independently from the Merit Board roster in those counties under this Act having a Merit System.

Also:

By Mr. Robison:

S. 9. To amend Section 27 of Act No. 813, S. 662, approved September 11, 1951, (Acts of Alabama 1950-1951, pages 1426-1447), which relates to providing for and prescribing the form of government for all cities of Alabama having a population of not less than 75,000 nor more than 125,000 inhabitants according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census by more particularly defining the employees covered thereunder.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 3. Judiciary.

S. 7. Local Government.

S. 8. Local Legislation No. 1.

S. 9. Local Legislation No. 1.

CONSIDERATION OF H. 1. RESUMED

Mr. Dawkins moved to reconsider the vote by which his motion to lay on the table the amendment offered by Mr. Brannan to H. 1, as amended, was lost.

Mr. Brown of Lee moved to postpone further consideration of H. 1, as amended, until Tuesday, February 8, 1955.

Mr. Hawkins moved to lay on the table the motion of Mr. Brown of Lee to postpone further consideration of H. 1, as amended, until Tuesday, February 8, 1955.

The motion of Mr. Hawkins was adopted.

Yeas 57; Nays 44.

Yeas:

Mr. Speaker	deGraffenried	Johnson (Elmore)	Ramey
Adams	Dement	Johnson (Tallapoosa)	Reynolds
Bassett	Edwards (Escambia)	Kirkham	Selman
Bradford	Ferrell	Law	Shumate
Branyon	Gilchrist	Lee (Barbour)	Simon
Brassell	Gist	Lee (Lawrence)	Speaks
Brewer	Gregory	Love	Steagall
Broadfoot	Grouby	McNider	Stembridge
Brooks	Hall	Martin	Summerlin
Brown (Lamar)	Haltom	Mathews	Taylor
Burkhalter	Hare	Money	Tyson
Callahan	Hawkins	Murphy	Ward
Cornett	Hodges	Nettles	Wood
Davis	Holliman	Oden	
Dawkins	Huddleston		

—57

Nays:

Messrs.:	Faulk	Killough	Oakley
Albea	Franklin	Lackey	Payne
Ashworth	Goodwyn	Locke (Choctaw)	Perry
Bagley	Hain	Locke (Perry)	Pirkle
Boyd	Hanby	McClendon	Pruitt
Brannan	Hardy	McKay	Richardson
Brown (Lee)	Harrison	McLendon	Roberts
Cox	Harvey	Meeks	Solomon
Crook	Jenkins	Molette	Thomas
DeSear	Kaul	Nice	Vacca
Dickson	Kendall	Nolen	Windle
Edwards (Jefferson)			

—44

The motion of Mr. Dawkins to reconsider the vote by which his motion to lay on the table the amendment offered by Mr. Brannan to H. 1, as amended, was lost, was adopted.

Yeas 57; Nays 47.

Yeas:

Mr. Speaker	Bradford	Brewer	Brown (Lamar)
Adams	Branyon	Broadfoot	Burkhalter
Bassett	Brassell	Brooks	Callahan

Cornett	Haltom	Lee (Barbour)	Shumate
Cox	Hare	Lee (Lawrence)	Simon
Davis	Hawkins	Love	Speaks
Dawkins	Hodges	McNider	Steagall
Dement	Holliman	Mathews	Stembridge
Edwards (Escambia)	Huddleston	Money	Stokes
Ferrell	Johnson (Elmore)	Murphy	Summerlin
Gilchrist	Johnson (Tallapoosa)	Nettles	Taylor
Gist	Kelly	Oden	Tyson
Gregory	Kirkham	Reynolds	Ward
Grouby	Law	Selman	Wood
Hall			

—57

Nays:

Messrs.:	Faulk	Killough	Oakley
Albea	Franklin	Lackey	Payne
Ashworth	Goodwyn	Locke (Choctaw)	Perry
Bagley	Hain	Locke (Perry)	Pirkle
Boyd	Hanby	McClendon	Pruitt
Brannan	Hardy	McKay	Ramey
Brown (Lee)	Harrison	McLendon	Richardson
Crook	Harvey	Martin	Roberts
deGraffenried	Hunt	Meeks	Solomon
DeSear	Jenkins	Molette	Thomas
Dickson	Kaul	Nice	Vacca
Edwards (Jefferson)	Kendall	Nolen	Windle

—47

The motion of Mr. Dawkins to lay on the table the amendment offered by Mr. Brannan to H. 1, as amended, was adopted.

Yeas 57; Nays 47.

Yeas:

Mr. Speaker	Dawkins	Huddleston	Oden
Adams	Dement	Johnson (Elmore)	Reynolds
Bassett	Edwards (Escambia)	Johnson (Tallapoosa)	Selman
Bradford	Ferrell	Kelly	Shumate
Branyon	Gilchrist	Kirkham	Simon
Brassell	Gist	Law	Speaks
Brewer	Gregory	Lee (Barbour)	Steagall
Broadfoot	Grouby	Lee (Lawrence)	Stembridge
Brooks	Hall	Love	Stokes
Brown (Lamar)	Haltom	McNider	Summerlin
Burkhalter	Hare	Mathews	Taylor
Callahan	Hawkins	Money	Tyson
Cornett	Hodges	Murphy	Ward
Cox	Holliman	Nettles	Wood
Davis			

—57

Nays:

Messrs.:	Brannan	Dickson	Hain
Albea	Brown (Lee)	Edwards (Jefferson)	Hanby
Ashworth	Crook	Faulk	Hardy
Bagley	deGraffenried	Franklin	Harrison
Boyd	DeSear	Goodwyn	Harvey

Hunt	Locke (Perry)	Nice	Ramey
Jenkins	McClendon	Nolen	Richardson
Kaul	McKay	Oakley	Roberts
Kendall	McLendon	Payne	Solomon
Killough	Martin	Perry	Thomas
Lackey	Meeks	Pirkle	Vacca
Locke (Choctaw)	Molette	Pruitt	Windle

—47

Mr. Richardson offered the following amendment to the bill, H. 1, as amended:

Amend Section 2 of H.B. No. 1 By deleting the words "One-Fourth" where it appears therein and inserting in lieu thereof the words "one-third".

On motion of Mr. Hawkins the amendment offered by Mr. Richardson was laid upon the table.

Mr. Locke of Choctaw offered the following amendment to the bill, H. 1, as amended:

Amendment of H.B. No. 1.

Amend section 5 of the bill by striking out the sentence "This Act shall become effective on the first day of the calendar month succeeding the month during which this Act shall be approved by the Governor or shall otherwise become law," and insert the following:

"The provisions of this Act shall not become effective unless a majority of the qualified electors of the State voting in the election hereinafter provided for shall vote to adopt the provisions of this Act.

"A special election is hereby called and shall be held in the several counties on the first Tuesday following the expiration of thirty days after the date of this enactment. Notice of such election shall be given by the sheriff not less than fifteen days before the date of said election. Except as herein otherwise provided, said election shall be held and conducted, the returns thereof made, the votes canvassed, the results declared, certificate given, and it shall be regulated in all respects, in accordance with the provisions of the laws of Alabama relating to general elections.

"On the ballot to be used at said election the question shall be: 'Do you favor the adoption of the provisions of Act No. ——— of the Legislature of Alabama, House Bill No. 1, by Mr. Fite and others, approved the ——— day of ———, 1955?' (The appropriate numbers and date to be inserted).

"If a majority of the votes cast at such election shall be in favor of the proposal to adopt the provisions of this Act, this Act shall become effective on the first day of the calendar month succeeding the month in which such election is held, but if a majority of the votes cast at such election shall be against said proposal, this Act shall have no effect."

On motion of Mr. Hawkins the amendment offered by Mr. Locke of Choctaw was laid upon the table.

Yeas 57; Nays 47.

Yeas:

Mr. Speaker	Brassell	Burkhalter	Dawkins
Adams	Brewer	Callahan	deGraffenried
Bassett	Broadfoot	Cornett	Dement
Bradford	Brooks	Cox	Edwards (Escambia)
Branyon	Brown (Lamar)	Davis	Ferrell

Gilchrist	Huddleston	McNider	Speaks
Gist	Johnson ^(Elmore)	Mathews	Steagall
Gregory	Johnson ^(Tallapoosa)	Money	Stembridge
Grouby	Kelly	Murphy	Stokes
Hall	Kendall	Oden	Summerlin
Haltom	Kirkham	Reynolds	Taylor
Hare	Law	Selman	Tyson
Hawkins	Lee ^(Lawrence)	Shumate	Ward
Hodges	Love	Simon	Wood
Holliman			

—57

Nays:

Messrs:	Franklin	Lee ^(Barbour)	Oakley
Albea	Goodwyn	Locke ^(Choctaw)	Payne
Ashworth	Hain	Locke ^(Perry)	Perry
Bagley	Hanby	McClendon	Pirkle
Boyd	Hardy	McKay	Pruitt
Brannan	Harrison	McLendon	Ramey
Brown ^(Lee)	Harvey	Martin	Richardson
Crook	Hunt	Meeks	Roberts
DeSear	Jenkins	Molette	Solomon
Dickson	Kaul	Nettles	Thomas
Edwards ^(Jefferson)	Killough	Nice	Vacca
Faulk	Lackey	Nolen	Windle

—47

The motion of Mr. Hawkins to lay on the table the motion of Mr. Meeks to postpone further consideration of H. 1, as amended, until the next legislative day was adopted.

Yeas 62; Nays 41.

Yeas:

Mr. Speaker	deGraffenried	Hunt	Oden
Adams	Dement	Johnson ^(Elmore)	Ramey
Bassett	Edwards ^(Escambia)	Johnson ^(Tallapoosa)	Reynolds
Bradford	Ferrell	Kelly	Selman
Branyon	Gilchrist	Law	Shumate
Brassell	Gist	Lee ^(Barbour)	Simon
Brewer	Gregory	Lee ^(Lawrence)	Speaks
Broadfoot	Grouby	Love	Steagall
Brooks	Hall	McKay	Stembridge
Brown ^(Lamar)	Haltom	McNider	Stokes
Burkhalter	Hanby	Martin	Summerlin
Callahan	Hare	Mathews	Taylor
Cornett	Hawkins	Money	Tyson
Cox	Hodges	Murphy	Ward
Davis	Holliman	Nettles	Wood
Dawkins	Huddleston		

—62

Nays:

Messrs:	Boyd	DeSear	Franklin
Albea	Brannan	Dickson	Goodwyn
Ashworth	Brown ^(Lee)	Edwards ^(Jefferson)	Hain
Bagley	Crook	Faulk	Hardy

Harrison	Locke (Choctaw)	Nolen	Richardson
Harvey	Locke (Perry)	Oakley	Roberts
Jenkins	McClendon	Payne	Solomon
Kaul	McLendon	Perry	Thomas
Kendall	Meeks	Pirkle	Vacca
Killough	Molette	Pruitt	Windle
Lackey	Nice		

—41

Mr. Oakley offered the following amendment to the bill, H. 1, as amended:

Amend section 1 of H.B. No. 1 by inserting the following as subsection (bb) between subsection (b) and subsection (c):

“(bb) The department is authorized and directed to issue certificates of exemption for the purchase of gasoline for use in operating or propelling tractors used exclusively for agricultural purposes.”

On motion of Mr. Hawkins the amendment offered by Mr. Oakley was laid upon the table.

Yeas 62; Nays 38.

Yeas:

Mr. Speaker	deGraffenried	Holliman	Nolen
Adams	Dement	Huddleston	Oden
Albea	Edwards (Escambia)	Jenkins	Perry
Bagley	Edwards (Jefferson)	Johnson (Elmore)	Reynolds
Bassett	Ferrell	Kelly	Roberts
Bradford	Gilchrist	Kirkham	Selman
Branyon	Gist	Lackey	Shumate
Brassell	Goodwyn	Law	Simon
Brewer	Gregory	Lee (Barbour)	Speaks
Brown (Lamar)	Grouby	Lee (Lawrence)	Stokes
Burkhalter	Hall	McNider	Summerlin
Callahan	Haltom	Mathews	Taylor
Cornett	Hanby	Money	Tyson
Cox	Hare	Murphy	Vacca
Davis	Hawkins	Nice	Wood
Dawkins	Hodges		

—62

Nays:

Messrs:	Hain	Locke (Perry)	Payne
Ashworth	Hardy	Love	Pruitt
Boyd	Harrison	McClendon	Ramey
Brannan	Harvey	McKay	Richardson
Brown (Lee)	Hunt	McLendon	Solomon
Crook	Johnson (Tallapoosa)	Martin	Steagall
DeSear	Kaul	Meeks	Stembridge
Dickson	Kendall	Molette	Thomas
Faulk	Killough	Nettles	Windle
Franklin	Locke (Choctaw)	Oakley	

—38

Mr. Payne offered the following amendment to the bill, H. 1, as amended:

AMENDMENT TO H.B. NO. 1

Amend section 1 of this bill by adding after the word “collect” on line 12, page 2 the following:

"From July 1, 1955 until June 30, 1957".

On motion of Mr. Hawkins the amendment offered by Mr. Payne was laid upon the table.

Mr. Payne offered the following amendment to the bill, H. 1, as amended:

AMENDMENT TO H.B. NO. 1

Amend section 1 of this bill by adding after the word "shall" and before the word "collect" on line 12, page 2 the following:

"On and after July 1, 1955".

On motion of Mr. Hawkins the amendment offered by Mr. Payne was laid upon the table.

And said bill:

H. 1. To amend Sections 647, 655, 656 and 657 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to increase the rate of the State Gasoline Excise Tax to eight cents per gallon and so as to make further provisions respecting the distribution of said tax.

As amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 43.

Yeas:

Mr. Speaker	Dement	Johnson (Elmore)	Oden
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Ramey
Bassett	Ferrell	Kelly	Reynolds
Bradford	Gilchrist	Kirkham	Selman
Branyon	Gist	Law	Shumate
Brassell	Gregory	Lee (Barbour)	Simon
Brewer	Grouby	Lee (Lawrence)	Speaks
Broadfoot	Hall	Love	Steagall
Brooks	Halton	McKay	Stembridge
Brown (Lamar)	Hare	McNider	Stokes
Burkhalter	Hawkins	Martin	Summerlin
Callahan	Hodges	Mathews	Taylor
Cornett	Holliman	Money	Tyson
Cox	Huddleston	Murphy	Ward
Davis	Hunt	Nettles	Wood
Dawkins			

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Nays:

Messrs:	Edwards (Jefferson)	Kendall	Oakley
Albea	Faulk	Killough	Payne
Ashworth	Franklin	Lackey	Perry
Bagley	Goodwyn	Locke (Choctaw)	Pirkle
Boyd	Hain	Locke (Perry)	Pruitt
Brannan	Hanby	McClendon	Richardson
Brown (Lee)	Hardy	McLendon	Roberts
Crook	Harrison	Meeks	Solomon
deGraffenried	Harvey	Molette	Thomas
DeSear	Jenkins	Nice	Vacca
Dickson	Kaul	Nolen	Windle

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On motion of Mr. Dawkins, his motion to reconsider the vote by which the bill, H. 1, as amended, was passed, was laid upon the table.

BILLS ON THIRD READING RESUMED

H. 2. To amend Section 2 of Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama, entitled "An Act to impose an excise tax upon the sale, distribution, storing, or withdrawal from storage within this State of certain motor fuels when used to operate motor vehicles upon the highways; to define the term motor fuel as used herein; to fix the amount of such tax and to provide for the collection thereof; to provide penalties for the violation of this act; to provide for the expense of administering the provisions hereof; to provide for the disposition of the proceeds of such tax; to authorize the State Department of Revenue to adopt and promulgate rules and regulations with respect to the administration and enforcement of the provisions of this act; to provide for a modification or repeal of laws or portions thereof to the extent of any conflict with the provisions of this Act; to fix the effective date of this act; and to generally provide for the enforcement of the provisions of this act and rules and regulations adopted pursuant thereto" and approved June 27, 1940, as heretofore amended, so as to increase the rate of the tax levied in said act, as amended, to eight cents per gallon.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 62; Nays 36.

Yeas:

Mr. Speaker	Edwards ^(Escambia)	Johnson ^(Tallapoosa)	Oden
Adams	Ferrell	Kelly	Payne
Bassett	Franklin	Kirkham	Ramey
Bradford	Gilchrist	Law	Reynolds
Brassell	Gist	Lee ^(Barbour)	Selman
Brewer	Gregory	Lee ^(Lawrence)	Shumate
Broadfoot	Grouby	Love	Simon
Brooks	Hall	McKay	Speaks
Brown ^(Lamar)	Haltom	McLendon	Steagall
Burkhalter	Hare	McNider	Stembridge
Callahan	Hawkins	Martin	Stokes
Cornett	Hodges	Mathews	Taylor
Cox	Holliman	Money	Tyson
Davis	Huddleston	Murphy	Ward
Dawkins	Hunt	Nettles	Wood
Dement	Johnson ^(Elmore)		

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Nays:

Messrs:	Faulk	Lackey	Perry
Albea	Goodwyn	Locke ^(Choctaw)	Pirkle
Ashworth	Hain	Locke ^(Perry)	Pruitt
Bagley	Hanby	McClendon	Richardson
Brannan	Hardy	Meeks	Roberts
Brown ^(Lee)	Harrison	Molette	Solomon
deGraffenried	Harvey	Nice	Thomas
DeSear	Kaul	Nolen	Vacca
Dickson	Killough	Oakley	Windle
Edwards ^(Jefferson)			

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PAIR ANNOUNCED

Mr. Kendall announced that he was paired with Mr. Summerlin. If Mr. Summerlin were present he would vote "yea" and Mr. Kendall would vote "nay".

MOTION TO RECONSIDER TABLED

On motion of Mr. Dawkins, his motion to reconsider the vote by which the bill, H. 2, was passed, was laid upon the table.

And the bill:

(With amendment):

H. 3. To authorize the Director of Finance, the Highway Director and the Executive Secretary to the Governor to become a corporation; to prescribe the powers of such corporation, including the power to construct public roads and bridges in the state and to finance such construction by the issuance of its bonds; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and for investment of trust funds, and shall not create an obligation or debt of the state; to provide that all bonds issued by the corporation may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the bonds of such corporation; to make appropriation and pledge of funds necessary to pay the principal of and interest on bonds of such corporation; to authorize such corporation to pledge such funds for payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds, but that said bonds will nevertheless constitute negotiable instruments; to provide that the State Treasurer shall be custodian of funds of said corporation; to confer on said corporation the power of eminent domain; and to provide for the dissolution of such corporation.

Was taken up.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:30 A.M. on February 1, 1955.

H.J.R. 5

H.J.R. 6

H.J.R. 8

R. T. GOODWYN, JR.,
Clerk

ADJOURNMENT

On motion of Mr. Meeks the House adjourned until Friday, February 4, 1955, at ten o'clock A.M.

FOURTH DAY

House of Representatives
Montgomery, Alabama
Friday, February 4, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend M. L. Sexton,

Minister, Highland Church of Christ, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Edwards ^(Escambia)	Kaul	Oakley
Adams	Edwards ^(Jefferson)	Kelly	Oden
Albea	Faulk	Kendall	Payne
Ashworth	Ferrell	Killough	Perry
Bagley	Franklin	Kirkham	Pirkle
Bassett	Gilchrist	Lackey	Pruitt
Boyd	Gist	Law	Ramey
Bradford	Goodwyn	Lee ^(Barbour)	Reynolds
Branyon	Gregory	Lee ^(Lawrence)	Richardson
Brassell	Grouby	Locke ^(Choctaw)	Roberts
Brewer	Hain	Locke ^(Perry)	Selman
Broadfoot	Hall	Love	Shumate
Brooks	Haltom	McClendon	Simon
Brown ^(Lamar)	Hanby	McKay	Solomon
Brown ^(Lee)	Hardy	McLendon	Speaks
Burkhalter	Hare	McNider	Steagall
Callahan	Harrison	Martin	Stembridge
Cornett	Harvey	Mathews	Stokes
Cox	Hawkins	Meeks	Summerlin
Crook	Hodges	Molette	Taylor
Davis	Holliman	Money	Tyson
Dawkins	Huddleston	Murphy	Vacca
deGraffenried	Hunt	Nettles	Ward
Dement	Jenkins	Nice	Windle
DeSear	Johnson ^(Elmore)	Nolen	Wood
Dickson	Johnson ^(Tallapoosa)		

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the third legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the third legislative day was approved.

BILLS ON SECOND READING

Mr. Brassell, Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 32. Relating to the authority of the Circuit Solicitor of the Sixth Judicial Circuit.

S. 3. To validate elections held since June 4, 1951, under the pro-

visions of Article 6 or 7 of Chapter 10, Title 52, Code of Alabama, 1940

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 35. Relating to counties with populations of not less than 29,350 nor more than 30,350 inhabitants: to provide a clerk for the tax collector and tax assessor of such counties, fixing the salaries of each of such clerks and the method of payment of such salaries out of the general funds of such counties.

H. 37. To apply in, but only in counties having a population of not less than 94,000 nor more than 134,000, according to the last or any subsequent federal decennial census; to provide for the attendance of polio victims at the nearest public school without the payment of certain special fees.

S. 8. To amend Section 1. of Act No. 311, approved July 31, 1951, which fixes the compensation of the Sheriff in counties of more than 96,000 population and less than 140,000 population, according to the last Federal census or any subsequent Federal census and provides for help and assistance and other expenses necessary to the conduct of the office of Sheriff, by providing for the appointment of the Chief Deputy independently from the Merit Board roster in those counties under this Act having a Merit System.

S. 9. To amend Section 27 of Act No. 813, S. 662, approved September 11, 1951, (Acts of Alabama 1950-1951, pages 1426-1447), which relates to providing for and prescribing the form of government for all cities of Alabama having a population of not less than 75,000 nor more than 125,000 inhabitants according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census by more particularly defining the employees covered thereunder.

S. 1. Relating to Marengo County; to amend Section 2 of an Act approved September 19, 1923, entitled "An Act to establish a Board of Revenue for Marengo County, and for the abolishment of the Court of County Commissioners of said County" (Act No. 311, p. 188, Local Acts of Alabama, 1923).

Mr. Adams, Chairman of the Standing Committee on Local Government reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 7. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Mr. Wood, Chairman of the Standing Committee on Conservation reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 17. Relating to conservation, amending Section 14 of Act No. 784, H. 316, approved September 19, 1953 (1953 Acts, Vol. II, p. 1072), which regulates commercial fishing.

H. 18. Relating to conservation: Amending Section 14 of Act No. 784, H. 316, approved September 19, 1953, which regulates commercial fishing (1953 Acts 1069, 1072), commonly called "The 20-Hook Law."

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Oden:

H. 38. To amend Act No. 621, H. 906, approved September 15, 1953, entitled "An Act to provide an expense allowance to members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 24,500 nor more than 25,725 according to the last or any subsequent federal decennial census," (1953 Acts, Vol. II, p. 880).

Local Legislation No. 1

By Messrs. Simon, Tyson, Murphy and Hawkins:

H. 39. An Act in the relation to the construction, operations, regulation and maintenance of a system of toll highways and to create the Alabama Turnpike Authority, and to define its powers and duties:

Ways and Means

By Messrs. Meeks, Nice, Vacca, Edwards (Jefferson), Lackey, Perry and Kaul:

H. 40. To amend further Section 366 of Title 52, Code of Alabama (1940), which provides for retirement age and retirement benefits under the Teachers' Retirement System.

Ways and Means

BILLS ON THIRD READING

H. 10. To amend further Section 254 of Title 13 of the Alabama Code of 1940, which relates to Deputy Solicitors of the 13th Judicial Circuit.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Dawkins	Hare	Locke (Choctaw)
Adams	deGraffenried	Harrison	Locke (Perry)
Albea	Dement	Harvey	McClendon
Ashworth	DeSear	Hawkins	McKay
Bagley	Dickson	Hodges	McLendon
Bassett	Edwards (Escambia)	Holliman	McNider
Boyd	Edwards (Jefferson)	Huddleston	Martin
Bradford	Faulk	Hunt	Mathews
Branyon	Ferrell	Jenkins	Meeks
Brassell	Franklin	Johnson (Elmore)	Molette
Brewer	Gilchrist	Johnson (Tallapoosa)	Money
Broadfoot	Gist	Kaul	Nettles
Brooks	Goodwyn	Kelly	Nolen
Brown (Lamar)	Gregory	Kendall	Oden
Burkhalter	Grouby	Killough	Payne
Callahan	Hain	Kirkham	Perry
Cornett	Hall	Lackey	Pirkle
Cox	Haltom	Law	Pruitt
Crook	Hanby	Lee (Barbour)	Ramey
Davis	Hardy	Lee (Lawrence)	

Reynolds	Simon	Stokes	Vacca
Richardson	Speaks	Summerlin	Ward
Roberts	Steagall	Taylor	Windle
Selman	Stembridge	Tyson	Wood
Shumate			

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And the bill:

H. 22. To validate elections held since June 4, 1951, under the provisions of Article 6 or 7 of Chapter 10, Title 52, Code of Alabama, 1940.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hunt	Nettles
Adams	Edwards (Escambia)	Jenkins	Nolen
Albea	Edwards (Jefferson)	Johnson (Elmore)	Oakley
Ashworth	Faulk	Johnson (Tallapoosa)	Oden
Bagley	Ferrell	Kaul	Payne
Bassett	Franklin	Kelly	Perry
Boyd	Gilchrist	Kendall	Pirkle
Bradford	Gist	Killough	Pruitt
Branyon	Goodwyn	Kirkham	Ramey
Brasseli	Gregory	Lackey	Reynolds
Brewer	Grouby	Law	Roberts
Broadfoot	Hain	Lee (Barbour)	Selman
Brooks	Hall	Lee (Lawrence)	Shumate
Brown (Lamar)	Haltom	Locke (Choctaw)	Simon
Burkhalter	Hanby	Locke (Perry)	Speaks
Callahan	Hardy	McClendon	Steagall
Cornett	Hare	McKay	Stembridge
Cox	Harrison	McLendon	Summerlin
Crook	Harvey	McNider	Taylor
Davis	Hawkins	Meeks	Tyson
Dawkins	Hodges	Molette	Ward
deGraffenried	Holliman	Money	Windle
Dement	Huddleston	Murphy	Wood
DeSear			

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UNFINISHED BUSINESS

The House proceeded to the consideration of the Unfinished Business, which was

H. 3. (With amendment): To authorize the Director of Finance, the Highway Director and the Executive Secretary to the Governor to become a corporation; to prescribe the powers of such corporation, including the power to construct public roads and bridges in the state and to finance such construction by the issuance of its bonds; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and for investment of trust funds, and shall not create an obligation or debt of the state; to provide that all bonds issued by the corporation may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the bonds of such corporation; to make

appropriation and pledge of funds necessary to pay the principal of and interest on bonds of such corporation; to authorize such corporation to pledge such funds for payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds, but that said bonds will nevertheless constitute negotiable instruments; to provide that the State Treasurer shall be custodian of funds of said corporation; to confer on said corporation the power of eminent domain; and to provide for the dissolution of such corporation.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Committee Amendment to House Bill No. 3.

Section 3 of H.B. No. 3 is hereby amended to read as follows:

Section 3. PROCEEDING TO INCORPORATE.—To become a corporation, the Director of Finance, the Highway Director and the Executive Secretary to the Governor shall present to the Secretary of State of Alabama an application signed by them which will set forth: (A) the name, official designation and official residence of each of the applicants, together with a certified copy of the commission evidencing each applicant's right to office; (B) the date on which each applicant was inducted into office and the term of office of each of the applicants; (C) the name of the proposed corporation, which shall be Alabama Highway Authority; (D) the location of the principal office of the proposed corporation; and (E) any other matter relating to the incorporation which the applicants may choose to insert and which is not inconsistent with this act or the laws of the State of Alabama. The application shall be subscribed and sworn to by each of the applicants before an officer, authorized by the laws of the State of Alabama to take acknowledgments to deeds. The Secretary of State shall examine the application and, if he finds that it complies with the requirements of this section, he shall receive and file it and record it in an appropriate book of records in his office.

That Section 7 of said H.B. No. 3 is hereby amended to read as follows:

Section 7. BONDS OF THE CORPORATION.—The bonds of the corporation shall be signed by its president and attested by its secretary and the seal of the corporation shall be affixed thereto, and any interest coupons applicable to such bonds shall be signed by the president; provided, that a facsimile of the signature of one, but not of both, of said officers may be impressed on any such bonds in lieu of his signing the same, and a facsimile of the president's signature may be impressed on any such interest coupons in lieu of his signing the same. Any bonds of the corporation may be executed and delivered by it at any time and from time to time, shall be in such form and denominations and of such tenor and maturities, shall bear such rate or rates of interest payable and evidenced in such manner may contain provisions for redemption prior to maturity, and may contain other provisions not inconsistent herewith, all as may be provided by the resolution of the board of directors whereunder such bonds are authorized to be issued. Those of the bonds of the corporation which will mature more than 5 years after their date shall be made subject to redemption at the option of the corporation at the end of the fifth year after their date and on any interest payment date thereafter under such terms and conditions as may be provided in the resolution under which such bonds are authorized to be issued. Any borrowing may be effected by sale of bonds at private or public sale in such manner and at such price or prices and at such

time or times as may be determined by the board of directors to be most advantageous; provided, that no sale of such bonds shall be for a price less than the par value of the bonds sold. Any bonds issued by the corporation may thereafter from time to time be refunded by the issuance by sale or exchange of refunding bonds of the corporation, and any such refunding bonds shall be subrogated and entitled to all the priorities, rights and pledges to which the bonds refunded thereby were entitled. Approval by the Governor of Alabama of the terms and conditions under which any bonds of the corporation may be issued shall be requisite to their validity. Such approval shall be entered on the minutes of the meetings of the board of directors at which the bonds are authorized, and shall be signed by the Governor. Such approval by the Governor may be shown on any such bonds by his facsimile signature when authorization thereof is contained in the said approval signed by him. The corporation may pay out of the proceeds from the sale of its bonds all expenses, including fees of fiscal agents and attorneys and other charges, which said board of directors may deem necessary and advantageous in connection with the issuance of such bonds. Bonds issued by the corporation shall not be general obligations of the corporation but shall be payable solely out of the funds appropriated and pledged therefor in Section 9 hereof. As security for the payment of the principal of and interest on any bonds issued by it, the corporation is hereby authorized and empowered to pledge for payment of such principal and interest the funds that are appropriated and pledged in Section 9 hereof for payment of said principal and interest. All such pledges made by the corporation shall take precedence in the order in which they are made; provided, that each pledge for the benefit of refunding bonds shall have the same priority as the pledge for the benefit of the bonds refunded thereby. All bonds issued by the corporation shall be solely and exclusively obligations of the corporation and shall not create an obligation or debt of the State of Alabama. The faith and credit of the State of Alabama shall not be pledged for the payment of any bonds issued by the corporation. Bonds issued by the corporation shall be construed to be negotiable instruments although payable solely from a specified source, as herein provided. All bonds issued by the corporation and the income therefrom shall be exempt from all taxation in the State of Alabama. Any bonds issued by the corporation may be used by the holder thereof as security for any funds belonging to the state or to any instrumentality or agency of the state in any instance where security for such deposits may be required by law. Unless otherwise directed by the court having jurisdiction thereof, or by the document that is the source of authority, a trustee, executor, administrator, guardian, or one acting in any other fiduciary capacity may, in addition to any other investment powers conferred by law and with the exercise of reasonable business prudence, invest trust funds in bonds of the corporation. Neither a public hearing nor consent by the State Department of Finance or any other department or agency shall be a prerequisite to the issuance of bonds by the corporation.

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Bradford	Burkhalter	deGraffenried
Adams	Branyon	Callahan	DeSear
Albea	Brassell	Cornett	Dickson
Ashwcrth	Brewer	Cox	Edwards (Escambia)
Bagley	Broadfoot	Crook	Edwards (Jefferson)
Bassett	Brooks	Davis	Faulk
Boyd	Brown (Lamar)	Dawkins	Ferrell

Franklin	Huddleston	McKay	Reynolds
Gilchrist	Hunt	McLendon	Richardson
Gist	Jenkins	McNider	Roberts
Goodwyn	Johnson (Elmore)	Mathews	Selman
Gregory	Johnson (Tallapoosa)	Meeks	Shumate
Grouby	Kaul	Molette	Simon
Hain	Kelly	Money	Solomon
Hall	Kendall	Murphy	Speaks
Haltom	Killough	Nettles	Steagall
Hanby	Kirkham	Nolen	Stembridge
Hardy	Lackey	Oakley	Summerlin
Hare	Law	Oden	Taylor
Harrison	Lee (Barbour)	Payne	Tyson
Harvey	Lee (Lawrence)	Perry	Vacca
Hawkins	Locke (Choctaw)	Pirkle	Ward
Hodges	Locke (Perry)	Pruitt	Windle
Holliman	McClendon	Ramey	Wood

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Messrs. Simon, Tyson, Brewer, Steagall, Taylor, Lee (Lawrence), Hawkins, Gilchrist, Murphy, Oden, Mathews, Dawkins, Stembridge, Goodwyn and Gregory offered the following amendment to the bill, H. 3, as amended:

AMENDMENTS TO HOUSE BILL NO. 3

1. Amend the title of said bill by adding after the words "the Highway Director" a comma and the following: "the Attorney General, the State Treasurer".

2. Amend Section 1 of said bill by adding after the words "the Highway Director" a comma and the following: "the Attorney General, the State Treasurer".

3. Amend Section 2 of said bill by adding after the words "the Highway Director" a comma and the following: "the Attorney General, the State Treasurer".

4. Amend Section 3 of said bill, as heretofore amended, by adding after the words "the Highway Director" a comma and the following: "the Attorney General, the State Treasurer".

5. Amend the third sentence of Section 5 of said bill by striking therefrom the words "any two members of the said board of directors" and substituting therefor the following: "any three members of the said board of directors".

6. Amend the fourth sentence of Section 5 of said bill by inserting after the comma following the words "Highway Director" the following: "Attorney General, State Treasurer".

7. Amend Section 7 of said bill, as heretofore amended, by striking the fourth and fifth sentences in said section, as heretofore amended, and substituting in lieu thereof the following: "Bonds of the corporation may be sold from time to time as the board of directors may deem advantageous; provided, that the aggregate principal amount of bonds of the corporation at any one time outstanding shall not exceed One Hundred Million Dollars (\$100,000,000). Bonds of the corporation must be sold only at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest net interest cost to the corporation for the bonds being sold, computed to their respective maturities; provided, that if no bid acceptable to the corporation is received it may reject all bids. Notice of each such sale shall be given by publication in

either a financial journal or a financial newspaper published in the City of New York, New York, and also by publication in a daily newspaper published in the State of Alabama, each of which notices must be published at least one time not less than ten days prior to the date fixed for the sale. The board of directors may fix the terms and conditions under which each such sale may be held; provided, that none of the bonds may be sold for a price less than the par value thereof, and provided further, that such terms and conditions shall not conflict with any of the requirements of this act. Any bonds of the corporation may from time to time be refunded by the sale of refunding bonds of the corporation, subject to the provisions and limitations contained in this act, and any such refunding bonds shall be subrogated and entitled to all the priorities, rights and pledges to which the bonds refunded thereby were entitled.

8. Amend Section 8 of said bill by striking from the second sentence of said Section 8 the words "that may be issued by sale" and the comma following said words.

9. Amend Section 11 of said bill by striking from the first sentence of said Section 11 the word "three".

And the amendment was adopted.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Edwards ^(Jefferson)	Kaul	Oakley
Adams	Faulk	Kelly	Oden
Albea	Ferrell	Kendall	Payne
Ashworth	Franklin	Killough	Perry
Bagley	Gilchrist	Kirkham	Pirkle
Bassett	Gist	Lackey	Pruitt
Boyd	Goodwyn	Law	Ramey
Bradford	Gregory	Lee ^(Barbour)	Reynolds
Branyon	Grouby	Lee ^(Lawrence)	Richardson
Brassell	Hain	Locke ^(Choctaw)	Roberts
Brewer	Hall	Locke ^(Perry)	Selman
Broadfoot	Haltom	Love	Shumate
Brooks	Hanby	McClendon	Simon
Brown ^(Lamar)	Hardy	McKay	Solomon
Burkhalter	Hare	McLendon	Speaks
Callahan	Harrison	McNider	Steagall
Cornett	Harvey	Martin	Stembridge
Cox	Hawkins	Mathews	Stokes
Crook	Hodges	Meeks	Summerlin
Davis	Holliman	Molette	Taylor
Dawkins	Huddleston	Money	Tyson
deGraffenried	Hunt	Murphy	Vacca
Dement	Jenkins	Nettles	Ward
DeSear	Johnson ^(Elmore)	Nice	Windle
Dickson	Johnson ^(Tallapoosa)	Nolen	Wood
Edwards ^(Escambia)			

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Mr. Solomon offered the following amendment to the bill, H. 3, as amended:

Amend Section 8 of House Bill No. 3 by adding thereto the following:

"Provided, however, that at least \$35,000,000 of the proceeds of the bonds shall be divided equally among the 67 counties of the State for the

purpose of improving and constructing public roads and bridges or other work incidental or related thereto, in the several counties. The \$35,000,000 referred to in this proviso shall be over and above any funds matched by the several counties or the Federal Government. That is to say, that at least \$35,000,000 of the proceeds of the bonds shall be divided equally among the 67 counties of the State exclusive of any funds matched by any counties or the Federal Government."

On motion of Mr. Hawkins the amendment offered by Mr. Solomon was laid upon the table.

Yeas 64; Nays 31.

Yeas:

Mr. Speaker	Davis	Hodges	Oden
Adams	Dawkins	Huddleston	Perry
Albea	deGraffenried	Jenkins	Ramey
Bagley	Dement	Johnson (Elmore)	Reynolds
Bassett	Edwards (Escambia)	Johnson (Tallapoosa)	Roberts
Bradford	Ferrell	Kaul	Selman
Branyon	Gilchrist	Law	Shumate
Brassell	Gist	Lee (Lawrence)	Simon
Brewer	Goodwyn	McNider	Speaks
Broadfoot	Gregory	Martin	Steagall
Brooks	Grouby	Mathews	Stembridge
Brown (Lamar)	Hall	Money	Summerlin
Burkhalter	Haltom	Murphy	Taylor
Callahan	Hanby	Nettles	Tyson
Cornett	Hare	Nice	Ward
Cox	Hawkins	Nolen	Wood

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Nays:

Messrs:	Franklin	Lackey	Molette
Ashworth	Hain	Lee (Barbour)	Payne
Boyd	Hardy	Locke (Choctaw)	Pirkle
Crook	Harrison	Locke (Perry)	Pruitt
DeSear	Harvey	Love	Richardson
Dickson	Holliman	McClendon	Solomon
Edwards (Jefferson)	Kendall	McKay	Stokes
Faulk	Killough	McLendon	Windle

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Mr. Meeks offered the following amendment to the bill, H. 3, as amended:

Amend section 6 of H.B. No. 3 by adding the following:

The corporation shall not have authority to construct, or to finance the construction of any highway project except on the basis of matching federal funds.

On motion of Mr. Hawkins the amendment offered by Mr. Meeks was laid upon the table.

Mr. Meeks offered the following amendment to the bill, H. 3, as amended:

Add to section 3 of H.B. No. 1 the following proviso:

And provided further, that all moneys referred to in said subsection (c) which are expended for the construction of highways shall be spent only in the matching of federal funds.

The point of order raised by Mr. Adams that the amendment offered

by Mr. Meeks referred to House Bill No. 1 and not to House Bill No. 3 was sustained by the Chair, and the amendment was ruled out of order.

And said bill, H. 3, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 25.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Nettles
Adams	Ferrell	Johnson (Tallapoosa)	Nolen
Bassett	Franklin	Kelly	Oden
Bradford	Gilchrist	Kendall	Payne
Branyon	Gist	Kirkham	Ramey
Brassell	Goodwyn	Law	Reynolds
Brewer	Gregory	Lee (Lawrence)	Roberts
Broadfoot	Grouby	Locke (Choctaw)	Selman
Brooks	Hall	Locke (Perry)	Shumate
Brown (Lamar)	Haltom	Love	Simon
Burkhalter	Hare	McClendon	Speaks
Callahan	Harrison	McKay	Steagall
Cornett	Hawkins	McLendon	Stembridge
Cox	Hodges	McNider	Summerlin
Davis	Holliman	Martin	Taylor
Dawkins	Huddleston	Mathews	Tyson
deGraffenried	Hunt	Money	Ward
Dement	Jenkins	Murphy	Wood
DeSear			

—73

Nays:

Messrs:	Edwards (Jefferson)	Killough	Perry
Albea	Faulk	Lackey	Pruitt
Ashworth	Hain	Meeks	Richardson
Bagley	Hanby	Molette	Solomon
Boyd	Hardy	Nice	Vacca
Crook	Harvey	Oakley	Windle
Dickson	Kaul		

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PAIR ANNOUNCED

Mr. Lee of Barbour announced that he was paired with Mr. Thomas. If Mr. Thomas were present he would vote "nay" and Mr. Lee would vote "yea".

MOTION TO RECONSIDER TABLED

On motion of Mr. Dawkins, his motion to reconsider the vote by which the bill, H. 3, as amended, was passed, was laid upon the table.

BILLS ON THIRD READING RESUMED

(With amendment):

H. 9. To amend further Sections 394 and 409, Title 51, Code of Alabama (1940), which relate to income taxes, by providing for a change in the time of filing returns of and paying such tax.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend House Bill Number 9 by striking out subsection (b) of Section 2 and inserting in lieu thereof, the following:

(b) Installment payments. If the tax liability under this Chapter exceeds Twenty-five dollars (\$25.00), the taxpayer may elect to pay the tax in four equal installments, in which case the first installment shall be paid on the date prescribed for the payment of the tax by the taxpayer, the second installment shall be paid on the fifteenth day of the third month, the third installment on the fifteenth day of the sixth month, and the fourth installment on the fifteenth day of the ninth month, after such date. If any installment is not paid on or before the date fixed for its payment, the whole amount of the tax unpaid shall be paid upon notice and demand from the Department of Revenue.

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Edwards ^(Jefferson)	Kelly	Oakley
Adams	Faulk	Kendall	Oden
Albea	Ferrell	Killough	Payne
Ashworth	Franklin	Kirkham	Perry
Bagley	Gist	Lackey	Pirkle
Bassett	Gregory	Law	Pruitt
Boyd	Hain	Lee (Barbour)	Ramey
Bradford	Hall	Lee (Lawrence)	Reynolds
Branvon	Haltom	Locke (Choctaw)	Richardson
Brassell	Hanby	Locke (Perry)	Roberts
Broadfoot	Hardy	Love	Selman
Brooks	Hare	McClendon	Shumate
Brown (Lamar)	Harrison	McKay	Simon
Burkhalter	Harvey	McLendon	Speaks
Cornett	Hawkins	McNider	Steagall
Cox	Hodges	Martin	Stembridge
Crook	Holliman	Mathews	Summerlin
Davis	Huddleston	Meeks	Taylor
Dawkins	Hunt	Molette	Tyson
deGraffenried	Jenkins	Money	Vacca
Dement	Johnson (Elmore)	Murphy	Ward
DeSear	Johnson (Tallapoosa)	Nettles	Windle
Dickson	Kaul	Nice	Wood
Edwards (Escambia)			

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On motion of Mr. Summerlin, further consideration of the bill, H. 9, as amended, was postponed until Tuesday, February 8, 1955.

**REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H.J.R. 10. Relative to requesting the Postmaster General of the United States to issue a commemorative stamp in honor of the late General Joseph Wheeler.

And finds same correctly enrolled.

RANKIN FITE
Chairman

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Lamberth:

S.J.R. 14. RESOLVED by the Senate, the House concurring, that when the Legislature adjourns today, it adjourn to meet again on Tuesday, February 8th, 1955, at 10 o'clock A.M.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 14 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Roberts:

S.J.R. 12 RESOLVED by the Senate, the House of Representatives concurring, that a committee to be composed of the President of the Senate and three members of the Senate to be appointed by the President of the Senate, and the Speaker of the House and three members of the House to be appointed by the Speaker of the House, to make a full and complete investigation of the feasibility and desirability of providing for the construction of toll roads in this State, and to report their findings and recommendations to the Legislature.

RESOLVED FURTHER, that the expenses of the Committee, including the compensation of members during any interim when the Legislature is not in session, shall be paid out of funds appropriated for the use of the Legislature.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Murphy the rules were suspended and the House concurred in and adopted the S.J.R. 12 set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Branyon:

H.J.R. 11. Relative to the death of Mrs. W. D. Utley.

WHEREAS, Mrs. W. D. Utley, of Berry, Alabama, the grandmother of the wife of Governor James E. Folsom, died on the morning of February 4, 1955, after an illness of several months' duration;

BE IT RESOLVED by the House of Representatives, the Senate concurring: That the Legislature hereby expresses its deep regret at the passing of Mrs. Utley, and extends its sincere sympathy to the surviving members of her family.

On motion of Mr. Branyon the rules were suspended and H.J.R. 11 was adopted.

Also:

By Mr. Dickson:

H.R. 12. RESOLVED, That the Clerk of the House be authorized and directed to strike my name as one of the introducers or sponsors of H.B. No. 1, H.B. No. 2, and H.B. No. 3, and that the journal of the House be so written that my withdrawal as a co-author of these bills is correctly reflected therein.

On motion of Mr. Dickson the rules were suspended and H.R. 12 was adopted.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolution hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same. Delivered to the Governor at 11:30 A.M. on February 4, 1955.

H.J.R. 10.

R. T. GOODWYN, JR.,
Clerk

ADJOURNMENT

On motion of Mr. Oden the House adjourned until Tuesday, February 8, 1955, at ten o'clock A.M.

FIFTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, February 8, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rabbi Seymour Atlas, Agudath Israel Congregation, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Ashworth	Boyd	Brassell
Adams	Bagley	Bradford	Brewer
Albea	Bassett	Branyon	Broadfoot

Brooks	Haltom	Lee (Lawrence)	Pirkle
Brown (Lamar)	Hanby	Locke (Choctaw)	Pruitt
Burkhalter	Hardy	Locke (Perry)	Ramey
Callahan	Hare	Love	Reynolds
Cornett	Harrison	McClendon	Richardson
Cox	Harvey	McKay	Roberts
Crook	Hawkins	McLendon	Selman
Davis	Hodges	McNider	Shumate
Dawkins	Holliman	Martin	Simon
deGraffenried	Huddleston	Mathews	Solomon
Dement	Hunt	Meeks	Speaks
DeSear	Jenkins	Molette	Steagall
Dickson	Johnson (Elmore)	Money	Stembridge
Edwards (Escambia)	Johnson (Tallapoosa)	Murphy	Stokes
Faulk	Kaul	Nettles	Summerlin
Ferrell	Kelly	Nice	Taylor
Franklin	Kendall	Nolen	Thomas
Goodwyn	Killough	Oakley	Vacca
Gregory	Lackey	Oden	Ward
Grouby	Law	Payne	Windle
Hain	Lee (Barbour)	Perry	Wood
Hall			

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Fourth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the Fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Fourth legislative day was approved.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Kelly:

H.J.R. 13. WHEREAS, death came on February 8, 1955, to the Honorable Fred Fite, prominent attorney of Hamilton, Alabama; and

WHEREAS, he had served with honor and distinction as a member of the Alabama House of Representatives and as State Senator from the Thirteenth District; and

WHEREAS, the members of the Legislature feel a profound sense of loss at the passing of Fred Fite; now, therefore,

BE IT RESOLVED by the House of Representatives, the Senate concurring: That the Legislature mourns the death of the Honorable Fred Fite, and expresses its sincere sympathy to the members of his family.

BE IT FURTHER RESOLVED that the Clerk of the House of Representatives transmit a copy of this resolution to the family of Mr. Fite.

On motion of Mr. Kelly the rules were suspended and H.J.R. 13 was adopted.

Also:

By Messrs. Bagley and Albea:

H.J.R. 14. WHEREAS the late Hugh D. Merrill of Calhoun County, served the State of Alabama as Judge of the Seventh Judicial Circuit from 1911 to 1920 and served as Delegate at Large to the State Constitutional Convention of 1901, and served in the House of Representatives from Cleburne County from 1899 through 1903, and

WHEREAS he was subsequently elected to the House of Representatives from Calhoun County, serving as Speaker of the House on two separate occasions from 1923 to 1927 and 1939 through 1943, and one term as Lieutenant Governor from 1931 to 1935, and

WHEREAS he served valiantly and faithfully as a member of the Code Committees of 1923 and 1940, and

WHEREAS his death is deeply mourned by the members of the Legislature;

NOW, THEREFORE, be it resolved by the House of Representatives, the Senate concurring:

1. The members of the Legislature of Alabama deeply mourn the passing of the Honorable Hugh D. Merrill.

2. The sympathy of the people of Alabama through their Legislative Representatives is hereby extended to the surviving children and other bereaved relatives of the deceased.

3. That a separate page of the Journals of each House be set apart for the preservation of this joint resolution and as a memorial to the memory of the Honorable Hugh D. Merrill.

4. The Clerk of the House is directed to transmit a duly authenticated copy of this resolution to the family of the deceased.

On motion of Mr. Bagley the rules were suspended and H.J.R. 14 was adopted.

Also:

By Mr. Hawkins:

H.J.R. 15. BE IT RESOLVED by the House of Representatives, the Senate concurring, that when the two Houses adjourn today, they adjourn to meet again on Friday, February 11, 1955, at 10 o'clock A.M.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 15 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S.J.R. 12. Relative to the appointment of a Committee to be composed of Members from both Houses of the Legislature to make a full and complete investigation of toll road construction and report their findings.

Also relative to provision for expenses and compensation of Members of Committee.

J. E. SPEIGHT,
Secretary

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

BILLS ON SECOND READING

Mr. Brassell, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 36. To provide further for the place of payment of privilege or license taxes due and payable under subsection (b) of Section 619, Title 51, Alabama Code 1940, as amended, when an additional indebtedness is incurred under a mortgage, deed of trust, contract of conditional sale, or other instrument of like character previously given to secure the payment of any debt and filed for record in any county of Alabama; to provide further for the terms and conditions of a bond required to be executed to secure such payment; and to give such provisions retroactive effect.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Brassell and Cornett:

H. 41. To make an appropriation for the relief of Russell County.

Ways and Means.

By Messrs. Adams, Pirkle, Payne, McClendon, Johnson (Tallapoosa), Solomon, Hunt, Ferrell, Bagley, Grouby, Albea, Hawkins, Burkhalter, Jenkins, Johnson (Elmore), Law, Dement, Franklin, McKay, Mathews, Harrison, Molette, Hardy, Hain, Cornett, Brassell, Edwards (Escambia), Bassett, Callahan, Martin, Money, Branyon, Brown (Lamar), Huddleston, Gist, Lee (Lawrence), Oden, Reynolds, Speaks, Ramey and Lee (Barbour):

H. 42. To repeal an Act approved September 19, 1953 (Act No. 784, H. 316, Acts of Alabama, 1953, p. 1069), entitled "An Act To provide that commercial fishing gear, which shall include commercial gear for the taking of fresh water mussels, may be used in commercial fishing in the public fresh waters of this State and to provide that the Department of Conservation may prescribe rules for and when, where and how the same may be used. To provide for licenses and the issuance thereof permitting the use of such commercial fishing gear. To provide licenses for wholesale and retail dealers of fresh water non-game fish. To provide for the issuance of such licenses and the disposition of the revenue derived therefrom. To provide for the seizure and confiscation of commercial fishing gear used in violation of the terms of this Act. To provide for a penalty for the violations of any provision of this Act and to provide for the disposition of the license fees and the fines accruing from violations of this Act. To repeal Section 70, 71, 72, 74 and 77 of Title 8, Code of

Alabama 1940, and to repeal Act No. 263, 1945 General Acts of Alabama, page 407, approved July 7, 1945, which relates to commercial fishing gear to be used in public fresh waters of this State and the licensing of such gear. To repeal Section 73 of Title 8, Code of Alabama 1940, as amended by Act No. 556, 1943 General Acts of Alabama, page 543, approved July 10, 1943, and by Act No. 306, 1947 General Acts of Alabama, page 163, approved August 14, 1947."

Ways and Means.

BILLS ON THIRD READING

H. 37. To apply in, but only in counties having a population of not less than 94,000 nor more than 134,000, according to the last or any subsequent federal decennial census; to provide for the attendance of polio victims at the nearest public school without the payment of certain special fees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Dickson	Kendall	Payne
Adams	Edwards (Escambia)	Killough	Perry
Albea	Faulk	Lackey	Pirkle
Ashworth	Ferrell	Lee (Barbour)	Pruitt
Bagley	Franklin	Lee (Lawrence)	Ramey
Boyd	Gregory	Locke (Choctaw)	Richardson
Bradford	Grouby	Locke (Perry)	Roberts
Branyon	Hain	Love	Selman
Brassell	Hall	McClendon	Shumate
Brewer	Haltom	McKay	Simon
Broadfoot	Hanby	McLendon	Solomon
Brooks	Hardy	McNider	Speaks
Brown (Lamar)	Harvey	Martin	Steagall
Burkhalter	Hawkins	Mathews	Stembridge
Callahan	Hodges	Money	Summerlin
Cornett	Holliman	Murphy	Taylor
Crook	Huddleston	Nettles	Thomas
Davis	Hunt	Nice	Vacca
Dawkins	Jenkins	Nolen	Ward
deGraffenried	Johnson (Tallapoosa)	Oakley	Windle
Dement	Kelly	Oden	Wood
DeSear			

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And the bill:

S. 8. To amend Section 1. of Act No. 311, approved July 31, 1951, which fixes the compensation of the Sheriff in counties of more than 96,000 population and less than 140,000 population, according to the last Federal census or any subsequent Federal census and provides for help and assistance and other expenses necessary to the conduct of the office of Sheriff, by providing for the appointment of the Chief Deputy independently from the Merit Board roster in those counties under this Act having a Merit System.

Was read a third time at length and passed.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	DeSear	Kelly	Oden
Adams	Dickson	Kendall	Payne
Albea	Edwards (Escambia)	Killough	Perry
Ashworth	Faulk	Lackey	Pirkle
Bagley	Ferrell	Lee (Barbour)	Pruitt
Boyd	Franklin	Lee (Lawrence)	Ramey
Bradford	Goodwyn	Locke (Choctaw)	Richardson
Branyon	Gregory	Locke (Perry)	Roberts
Brassell	Grouby	Love	Selman
Brewer	Hain	McClendon	Shumate
Broadfoot	Hall	McKay	Simon
Brooks	Hanby	McLendon	Solomon
Brown (Lamar)	Hardy	McNider	Speaks
Burkhalter	Haltom	Martin	Steagall
Callahan	Harvey	Mathews	Stembridge
Cornett	Hawkins	Meeks	Summerlin
Cox	Hodges	Molette	Taylor
Crook	Holliman	Money	Thomas
Davis	Huddleston	Murphy	Vacca
Dawkins	Hunt	Nettles	Ward
deGraffenried	Jenkins	Nolen	Windle
Dement	Johnson (Tallapoosa)	Oakley	Wood

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And the bill:

S. 9. To amend Section 27 of Act No. 813, S. 662, approved September 11, 1951, (Acts of Alabama 1950-1951, pages 1426-1447), which relates to providing for and prescribing the form of government for all cities of Alabama having a population of not less than 75,000 nor more than 125,000 inhabitants according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census by more particularly defining the employees covered thereunder.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Dickson	Kendall	Payne
Adams	Edwards (Escambia)	Killough	Perry
Albea	Faulk	Lackey	Pirkle
Ashworth	Ferrell	Lee (Barbour)	Pruitt
Bagley	Franklin	Lee (Lawrence)	Ramey
Boyd	Goodwyn	Locke (Choctaw)	Richardson
Bradford	Gregory	Locke (Perry)	Roberts
Branyon	Grouby	Love	Selman
Brassell	Hain	McClendon	Shumate
Brewer	Hall	McKay	Simon
Broadfoot	Haltom	McLendon	Solomon
Brooks	Hanby	McNider	Speaks
Brown (Lamar)	Hardy	Martin	Steagall
Burkhalter	Harvey	Mathews	Stembridge
Callahan	Hawkins	Molette	Summerlin
Cornett	Hodges	Money	Taylor
Crook	Holliman	Murphy	Thomas
Davis	Huddleston	Nettles	Vacca
Dawkins	Hunt	Nolen	Ward
deGraffenried	Jenkins	Oakley	Windle
Dement	Johnson (Tallapoosa)	Oden	Wood
DeSear	Kelly		

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And the bill:

S. 1. Relating to Marengo County; to amend Section 2 of an Act approved September 19, 1923, entitled "An Act to establish a Board of Revenue for Marengo County, and for the abolishment of the Court of County Commissioners of said County" (Act No. 311, p. 188, Local Acts of Alabama, 1923).

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	DeSear	Kelly	Payne
Adams	Dickson	Kendall	Perry
Albea	Edwards (Escambia)	Killough	Pirkle
Ashworth	Faulk	Lackey	Pruitt
Bagley	Ferrell	Lee (Barbour)	Ramey
Boyd	Franklin	Lee (Lawrence)	Richardson
Bradford	Goodwyn	Locke (Choctaw)	Roberts
Branyon	Gregory	Locke (Perry)	Selman
Brassell	Grouby	Love	Shumate
Brewer	Hain	McClendon	Simon
Broadfoot	Hall	McKay	Solomon
Brooks	Haltom	McLendon	Speaks
Brown (Lamar)	Hanby	McNider	Steagall
Burkhalter	Hardy	Martin	Stembridge
Callahan	Harvey	Mathews	Summerlin
Cornett	Hawkins	Mollette	Taylor
Cox	Hodges	Money	Thomas
Crook	Holliman	Murphy	Vacca
Davis	Huddleston	Nettles	Ward
Dawkins	Hunt	Nolen	Windle
deGraffenried	Jenkins	Oden	Wood
Dement	Johnson (Tallapoosa)		

—86

And the bill:

H. 9. To amend further Sections 394 and 409, Title 51, Code of Alabama (1940), which relate to income taxes, by providing for a change in the time of filing returns of and paying such tax.

As amended, was again taken up.

Mr. Vacca offered the following amendment to the bill, H. 9, as amended:

Amend House Bill Number 9 as amended by striking out subsection (b) of Section 2 and inserting in lieu thereof, the following:

(b) **Installment payments.** If the tax liability under this Chapter exceeds Twenty-five dollars (\$25.00), the taxpayer may elect to pay the tax in four equal installments, in which case the first installment shall be paid on the date prescribed for the payment of the tax by the taxpayer, the second installment shall be paid on the fifteenth day of the second month, the third installment on the fifteenth day of the fifth month, and the fourth installment on the fifteenth day of the eighth month, after such date. If any installment is not paid on or before the date fixed for its payment, the whole amount of the tax unpaid shall be paid upon notice and demand from the Department of Revenue.

And the amendment was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dickson	Kelly	Payne
Adams	Edwards (Escambia)	Kendall	Perry
Albea	Faulk	Killough	Pirkle
Ashworth	Ferrell	Lackey	Pruitt
Bagley	Franklin	Lee (Barbour)	Ramey
Boyd	Goodwyn	Lee (Lawrence)	Reynolds
Bradford	Gregory	Locke (Choctaw)	Richardson
Branyon	Grouby	Locke (Perry)	Roberts
Brassell	Hain	McClendon	Selman
Brewer	Hall	McKay	Shumate
Broadfoot	Haltom	McLendon	Simon
Brooks	Hanby	McNider	Solomon
Brown (Lamar)	Hardy	Martin	Speaks
Burkhalter	Hare	Mathews	Steagall
Callahan	Harrison	Meeks	Stembridge
Cornett	Harvey	Molette	Summerlin
Cox	Hawkins	Money	Taylor
Crook	Hodges	Murphy	Thomas
Davis	Holliman	Nettles	Vacca
Dawkins	Huddleston	Nice	Ward
deGraffenried	Hunt	Nolen	Windle
Dement	Jenkins	Oakley	Wood
DeSear	Johnson (Tallapoosa)	Oden	

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And said bill, H. 9, as amended, was read a third time at length and passed.

Yeas 62; Nays 26.

Yeas:

Messrs:	Goodwyn	Lee (Lawrence)	Perry
Adams	Gregory	Locke (Choctaw)	Pruitt
Albea	Grouby	Locke (Perry)	Ramey
Ashworth	Hain	McKay	Reynolds
Bagley	Hall	McLendon	Richardson
Bradford	Hardy	Mathews	Roberts
Brassell	Hare	Meeks	Simon
Brewer	Harvey	Molette	Solomon
Brown (Lamar)	Hodges	Money	Steagall
Callahan	Holliman	Murphy	Stembridge
Cornett	Huddleston	Nettles	Thomas
Crook	Kaul	Nice	Vacca
Dawkins	Kelly	Nolen	Ward
deGraffenried	Kendall	Oakley	Windle
DeSear	Lackey	Oden	Wood
Faulk	Lee (Barbour)	Payne	

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Nays:

Mr. Speaker	Dement	Hawkins	McNider
Boyd	Dickson	Hunt	Selman
Branyon	Ferrell	Jenkins	Shumate
Broadfoot	Franklin	Johnson (Tallapoosa)	Speaks
Burkhalter	Haltom	Killough	Summerlin
Cox	Hanby	Love	Taylor
Davis	Harrison		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 15. Relative to adjournment of the two Houses until Friday, February 11, 1955, at 10 o'clock A.M.

Also:

H.J.R. 13. Mourning the death of Hon. Fred Fite and expressing sincere sympathy to the members of the family.

Also:

H.J.R. 11. Expressing the regret at the passing of Mrs. Utley, grandmother of Mrs. James E. Folsom, and extending sympathy to the family.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Joint Resolution and sends same herewith to the House for its consideration.

By Messrs. Goodwin and Skidmore:

S.J.R. 16. WHEREAS, death came on January 26, 1955 to Col. Woolsey Finnell, former judge of probate of Tuscaloosa County and highway director of the State of Alabama; and

WHEREAS, Col. Finnell had served his country honorably during the first World War, and had received a special citation from General John J. Pershing for exceptionally meritorious service during that great conflict; and

WHEREAS, Col. Finnell was widely known and respected throughout this State, not only because of his many professional and civic activities, but also because of his exemplary personal qualities;

NOW THEREFORE BE IT RESOLVED by the Senate of Alabama, the House of Representatives concurring that the Legislature hereby expresses its deep regret at the passing of this distinguished citizen, and extends its sympathy to the surviving members of his family.

BE IT RESOLVED FURTHER that a copy of this resolution be transmitted by the Secretary of the Senate to the family of Col. Woolsey Finnell.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Callahan the rules were suspended and the House concurred in and adopted the S.J.R. 16 set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING RESUMED

H. 35. Relating to counties with populations of not less than 29,350

nor more than 30,350 inhabitants: to provide a clerk for the tax collector and tax assessor of such counties, fixing the salaries of each of such clerks and the method of payment of such salaries out of the general funds of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	DeSear	Jenkins	Oakley
Adams	Dickson	Johnson (Tallapoosa)	Oden
Albea	Edwards (Escambia)	Kelly	Payne
Ashworth	Faulk	Kendall	Perry
Bagley	Ferrell	Killough	Pirkle
Boyd	Franklin	Lackey	Pruitt
Bradford	Goodwyn	Lee (Barbour)	Ramey
Branyon	Gregory	Lee (Lawrence)	Reynolds
Brassell	Grouby	Locke (Choctaw)	Richardson
Brewer	Hain	Locke (Perry)	Roberts
Broadfoot	Hall	Love	Selman
Brooks	Haltom	McClendon	Shumate
Brown (Lamar)	Hanby	McKay	Simon
Burkhalter	Hardy	McLendon	Speaks
Callahan	Hare	McNider	Steagall
Cornett	Harrison	Martin	Stembridge
Cox	Harvey	Mathews	Summerlin
Crook	Hawkins	Meeks	Taylor
Davis	Hodges	Money	Thomas
Dawkins	Holliman	Murphy	Vacca
deGraffenried	Huddleston	Nettles	Windle
Dement	Hunt	Nolen	Wood

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cantrell:

S.J.R. 15. BE IT RESOLVED by the Senate, the House of Representatives concurring, That Senator Garet Van Antwerp of Mobile be and he hereby is named and designated by the Legislature as a Commissioner to serve on the Gulf States Marine Fisheries Commission provided for by Act No. 51 of the 1947 Legislature, for the unexpired term of former Senator Thomas A. Johnston.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Simon the rules were suspended and the House concurred in and adopted the S.J.R. 15 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and

ordered same sent forthwith to the House without engrossment:

By Mr. Grisham (with notice and proof):

S. 13. Relating to Lauderdale County: To abolish the Board of Revenue of Lauderdale County, created by Act No. 205, S. B. 243, approved July 21, 1953, and to restore and re-establish the Court of County Commissioners of Lauderdale County in lieu thereof; to provide for its organization, powers, jurisdiction, and duties; and to provide for the qualifications, manner of election, and compensation of its members.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA, COUNTY OF LAUDERDALE

NOTICE is hereby given that at a 1955 special or regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Lauderdale County: To abolish the Board of Revenue of Lauderdale County Created by Act No. 205, S. B. 243, approved July 21, 1953, and to restore and re-establish the Court of County Commissioners of Lauderdale County in lieu thereof; to provide for its organization, powers, jurisdiction, and duties; and to provide for the qualifications, manner of election, and compensation of its members.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Board of Revenue of Lauderdale County created by Act No. 205, S. B. 243, approved July 21, 1953, is hereby abolished, and in lieu thereof there is hereby restored and re-established in Lauderdale County a court of record styled the Court of County Commissioners of Lauderdale County, which shall be composed of the Judge of Probate, as principal judge, and four commissioners who shall be elected as hereinafter provided.

Section 2. For the purpose of electing members of the Court of County Commissioners as created by this Act, Lauderdale County is hereby divided into four commissioners' districts as follows:

District 1. Shall be composed of Beats 1, 2, 3 and 4; District 2 shall be composed of Beats 5, 6, 7, 8 and 19; District 3 shall be composed of Beats 9, 10 and 11; District 4 shall be composed of Beats 12, 13, 14, 15, 16, 17 and 18.

Section 3. One county commissioner shall be elected from each district as established by Section 2 of this Act by the qualified electors of such district. Commissioners for Districts 2 and 4 shall be elected at the general election to be held in 1956, and every four years thereafter; commissioners for Districts 1 and 3 shall be elected at the general election to be held in 1958 and every four years thereafter. Each candidate for commissioner must be a resident and qualified elector of the district he seeks to represent. Each commissioner elected must continue to reside in the district from which he was elected during his continuance in office.

The commissioners elected under the provisions of this Act shall hold office for terms of four years from the first Monday after the second Tuesday in January next succeeding their election, and until their successors are elected and qualified.

Section 4. The present four associate members of the Board of Revenue of Lauderdale County shall serve as county commissioners of the Court of County Commissioners of Lauderdale County until their successors are elected and qualified as herein provided.

Section 5. Regular terms of the Court of County Commissioners of Lauderdale County shall be held on the second and fourth Mondays in each month of each year.

Section 6. Except as otherwise provided herein, all general laws, now in force in this state, in reference to the several courts of county commissioners, shall apply to the court of record created by this Act; the Court of County Commissioners of Lauderdale County shall have and exercise all the jurisdiction and powers which are, or hereafter may be, vested in courts of county commissioners by the general laws of the State, unless otherwise specially provided; the members of the Court shall perform all the duties and services and exercise all the powers which are, or hereafter may be, provided by law for members of courts of county commissioners, unless otherwise specially provided. But the Court of County Commissioners of Lauderdale County shall have only such jurisdiction with respect to the establishment, change, construction, repair, and maintenance of roads and bridges and highways as is vested in the governing body of Lauderdale County under the provisions of Act No. 30, H. 69, approved May 28, 1953, of the Regular Session of the Legislature which transferred control of Lauderdale County roads and bridges to the State Highway Department.

Section 7. Each member of the Court of County Commissioners of Lauderdale County shall receive a monthly salary, of not exceeding Two Hundred Fifty (\$250.00) DOLLARS each month, to be fixed from time to time by the Court of County Commissioners of Lauderdale County, which salary shall be in lieu of all fees, per diem, expenses or other compensation now allowed by law to such county commissioners for services rendered in and about his duties as such commissioner. The payment of all such salaries shall be made from monies of the County not otherwise pledged or appropriated by warrant drawn by the Probate Judge on the first of each calendar month for the preceeding month. The Probate Judge of Lauderdale County shall be entitled to the compensation provided for by law for judges of probate who serve as principal judge of courts of county commissioners.

Section 8. As long as control of roads, bridges and highways in Lauderdale County remains in the State Highway Department each commissioner of the Court of County Commissioners of Lauderdale County must be furnished a suitable vehicle by and at the expense of the State Highway Department to be used exclusively by the commissioners as a means of transportation while occupied in discharge of their duties as county commissioners, including going to and returning from their respective courts. Any such vehicles may be recalled, however, by the Highway Director in the event any commissioner uses such vehicle provided him for purposes other than as hereinabove stated.

Section 9. All laws or parts of laws in conflict with this Act are hereby repealed; and Act No. 205, S. B. 243, approved July 21, 1953, which created the Board of Revenue of Lauderdale County is hereby expressly repealed.

Section 10. The provisions of this Act are severable. If any part of

this Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Milton C. Grisham, State Senator, First Senatorial District of State of Alabama comprised of Lauderdale and Limestone Counties.

E. B. Haltom, Jr., Member of House of Representatives from Lauderdale County, Place No. 2.

Jan. 6, 13, 20 & 27c

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared D. H. Bowling, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of The Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 6, 1955, Jan. 13, 1955, Jan. 20, 1955 and Jan. 27, 1955, all in the year 1955.

D. H. BOWLING

Sworn to and subscribed before me January 27th., 1955.

L. H. BAKER
Notary Public

My Commission Expires Aug. 2, 1955

Also:

By Messrs. Goodwin and Metcalf:

S. 14. Relating to the Twenty-second Judicial Circuit, which is composed of Covington and Geneva Counties, fixing the salary of the Official Court Reporter of such circuit and providing for the payment thereof:

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 13. Local Legislation No. 1.

S. 14. Local Legislation No. 1.

BILLS ON THIRD READING RESUMED

H. 32. Relating to the authority of the Circuit Solicitor of the Sixth Judicial Circuit.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dickson	Kelly	Oden
Adams	Edwards ^(Escambia)	Kendall	Payne
Albea	Faulk	Killough	Perry
Ashworth	Ferrell	Lackey	Pirkle
Bagley	Franklin	Lee ^(Barbour)	Pruitt
Boyd	Goodwyn	Lee ^(Lawrence)	Ramey
Bradford	Gregory	Locke ^(Choctaw)	Reynolds
Branyon	Grouby	Locke ^(Perry)	Richardson
Brassell	Hain	Love	Roberts
Brewer	Hall	McClendon	Selman
Brooks	Haltom	McKay	Shumate
Brown ^(Lamar)	Hanby	McLendon	Simon
Burkhalter	Hare	McNider	Speaks
Callahan	Harrison	Martin	Steagall
Cornett	Harvey	Mathews	Stembridge
Cox	Hawkins	Meeks	Summerlin
Davis	Hodges	Molette	Taylor
Dawkins	Huddleston	Money	Thomas
deGraffenried	Hunt	Murphy	Vacca
Dement	Jenkins	Nettles	Windle
DeSear	Johnson ^(Tallapoosa)	Nolen	Wood

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And the bill:

S. 3. To validate elections held since June 4, 1951, under the provisions of Article 6 or 7 of Chapter 10, Title 52, Code of Alabama, 1940.

Was read a third time at length and passed.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Faulk	Kaul	Nolen
Adams	Ferrell	Kelly	Oakley
Albea	Franklin	Kendall	Oden
Ashworth	Goodwyn	Killough	Payne
Bagley	Gregory	Lackey	Perry
Boyd	Grouby	Law	Pirkle
Bradford	Hain	Lee ^(Barbour)	Pruitt
Branyon	Hall	Lee ^(Lawrence)	Ramey
Brassell	Haltom	Locke ^(Choctaw)	Reynolds
Brewer	Hanby	Locke ^(Perry)	Richardson
Brooks	Hardy	Love	Selman
Brown ^(Lamar)	Hare	McClendon	Shumate
Burkhalter	Harrison	McKay	Simon
Callahan	Harvey	McLendon	Speaks
Cornett	Hawkins	McNider	Steagall
Cox	Hodges	Martin	Stembridge
Davis	Holliman	Mathews	Stokes
deGraffenried	Huddleston	Meeks	Summerlin
Dement	Hunt	Molette	Taylor
DeSear	Jenkins	Money	Vacca
Dickson	Johnson ^(Elmore)	Murphy	Windle
Edwards ^(Escambia)	Johnson ^(Tallapoosa)	Nettles	Wood

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And the bill:

S. 7. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	DeSear	Johnson (Elmore)	Nettles
Adams	Dickson	Johnson (Tallapoosa)	Nolen
Albea	Edwards (Escambia)	Kaul	Oakley
Ashworth	Faulk	Kelly	Oden
Bagley	Ferrell	Killough	Payne
Boyd	Franklin	Lackey	Perry
Bradford	Goodwyn	Law	Pirkle
Branyon	Gregory	Lee (Barbour)	Pruitt
Brassell	Grouby	Lee (Lawrence)	Reynolds
Brewer	Hain	Locke (Choctaw)	Richardson
Broadfoot	Hall	Locke (Perry)	Selman
Brooks	Haltom	Love	Shumate
Brown (Lamar)	Hanby	McClendon	Simon
Burkhalter	Hardy	McKay	Speaks
Callahan	Hare	McLendon	Steagall
Cornett	Harrison	McNider	Stembridge
Cox	Harvey	Martin	Summerlin
Crook	Hodges	Mathews	Taylor
Davis	Holliman	Meeks	Vacca
Dawkins	Huddleston	Molette	Windle
deGraffenried	Hunt	Money	Wood
Dement	Jenkins		

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And the bill:

H. 17. Relating to conservation, amending Section 14 of Act No. 784, H. 316, approved September 19, 1953 (1953 Acts, Vol. II, p. 1072), which regulates commercial fishing.

Was taken up.

Mr. Callahan offered the following amendment to the bill, H. 17.

AMENDMENT OF H.B. NO. 17

Amend section 1 of the bill by striking out the words "who hold valid sport fishing licenses" where such words appear together in such section.

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Brewer	Dawkins	Gregory
Adams	Broadfoot	deGraffenried	Grouby
Albea	Brooks	Dement	Hain
Ashworth	Brown (Lamar)	DeSear	Hall
Bagley	Burkhalter	Dickson	Hanby
Boyd	Callahan	Edwards (Escambia)	Hardy
Bradford	Cornett	Faulk	Hare
Branyon	Cox	Franklin	Harrison
Brassell	Davis	Goodwyn	Harvey

Hawkins	Lee (Barbour)	Money	Roberts
Hodges	Lee (Lawrence)	Nettles	Selman
Holliman	Locke (Choctaw)	Nolen	Shumate
Huddleston	Locke (Perry)	Oakley	Speaks
Hunt	Love	Oden	Steagall
Jenkins	McClendon	Payne	Stembridge
Johnson (Elmore)	McKay	Perry	Stokes
Johnson (Tallapoosa)	McLendon	Pirkle	Taylor
Kelly	McNider	Pruitt	Vacca
Kendall	Martin	Ramey	Ward
Killough	Mathews	Reynolds	Windle
Lackey	Meeks	Richardson	Wood
Law	Molette		

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And said bill, H. 17, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Tallapoosa)	Oakley
Adams	Faulk	Kaul	Oden
Albea	Ferrell	Kelly	Payne
Ashworth	Franklin	Kendall	Perry
Bagley	Goodwyn	Killough	Pirkle
Boyd	Gregory	Lackey	Pruitt
Bradford	Grouby	Law	Ramey
Branyon	Hain	Lee (Barbour)	Reynolds
Brassell	Hall	Lee (Lawrence)	Richardson
Brewer	Haltom	Locke (Perry)	Roberts
Broadfoot	Hanby	Love	Selman
Brooks	Hardy	McClendon	Shumate
Brown (Lamar)	Hare	McKay	Speaks
Burkhalter	Harrison	McLendon	Steagall
Callahan	Harvey	McNider	Stembridge
Cox	Hawkins	Martin	Stokes
Davis	Hodges	Mathews	Summerlin
Dawkins	Holliman	Meeks	Taylor
deGraffenried	Huddleston	Molette	Vacca
Dement	Hunt	Money	Ward
DeSear	Jenkins	Nettles	Windle
Dickson	Johnson (Elmore)	Nolen	Wood

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And the bill:

H. 18. Relating to conservation: Amending Section 14 of Act No. 784, H. 316, approved September 19, 1953, which regulates commercial fishing (1953 Acts 1069, 1072), commonly called "The 20-Hook Law."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Ashworth	Bradford	Brewer
Adams	Bagley	Branyon	Broadfoot
Albea	Boyd	Brassell	Brooks

Brown (Lamar)	Haltom	Lee (Barbour)	Perry
Burkhalter	Hanby	Lee (Lawrence)	Pirkle
Callahan	Hardy	Locke (Choctaw)	Pruitt
Cornett	Hare	Locke (Perry)	Ramey
Cox	Harrison	Love	Reynolds
Davis	Harvey	McClendon	Richardson
Dawkins	Hawkins	McKay	Roberts
deGraffenried	Hodges	McLendon	Selman
Dement	Holliman	McNider	Shumate
DeSear	Huddleston	Martin	Speaks
Dickson	Hunt	Mathews	Steagall
Edwards (Escambia)	Jenkins	Molette	Stembridge
Faulk	Johnson (Elmore)	Money	Stokes
Ferrell	Johnson (Tallapoosa)	Murphy	Summerlin
Franklin	Kelly	Nettles	Taylor
Goodwyn	Kendall	Nolen	Vacca
Gregory	Killough	Oakley	Ward
Grouby	Lackey	Oden	Windle
Hain	Law	Payne	Wood
Hall			

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MOTION TO RECONSIDER

The motion of Mr. Harrison to reconsider the vote by which the bill, S. 7, was passed, was adopted.

On motion of Mr. Harrison, further consideration of the bill, S. 7, was postponed until the next legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 4. To repeal Act No. 42 (General Acts of Alabama, 1953, page 56) approved June 3, 1953, entitled "An Act relating to counties having a population of not less than seventy-five thousand (75,000) nor more than ninety thousand (90,000) inhabitants according to the 1950 or any subsequent decennial census of the United States; providing for a perpetual inventory of all property subject to taxation in such counties; directing the Governing Body of every such county to appropriate the portion of the cost of the inventory borne by the county, and to prorate the portion of the cost borne by the county among the county and each board of education and each municipality in the county; and to appropriate such sum as may be necessary to provide for the portion of the cost of the inventory borne by the State," as amended by Act No. 517, (General Acts of Alabama, 1953, page 651) approved September 3, 1953, entitled "An Act to Amend Act No. 42, S. 119, approved June 3, 1953, entitled 'An Act relating to counties having a population of not less than seventy-five thousand (75,000), nor more than ninety thousand (90,000) inhabitants according to the 1950 or any subsequent decennial census of the United States; providing for a perpetual inventory of all property subject to taxation in such counties; directing the governing body of every such county to appropriate the portion of the cost of the inventory borne by the county, and to prorate the portion of the cost borne by the county among the county and each board of education, and each municipality in the county; and to appropriate such sum as may be necessary to provide for the portion of the cost of the inventory borne by the State.'"

Also:

H. 5. To reorganize the government of Cullman County to promote economy and efficiency, abolishing the Board of Commissioners and Control, creating in lieu thereof a county commission, transferring certain county functions in relation to the construction, repair, and maintenance of public roads and bridges to the State Highway Department.

Also:

H. 6. Relating to Cullman County: Creating the Cullman County Commission on Education to administer the public school laws, supervise the public school system, and promote the educational interests of the county, limiting the jurisdiction of the Commission to schools not subject to the jurisdiction of the City of Cullman or any of its instrumentalities; abolishing the board of education of Cullman County and the office of county superintendent of education; providing for the election of members of the Commission and for the election of a superintendent of county schools, fixing their terms, qualifications, and compensation, and prescribing their powers and duties.

Also:

H. 8. Relating to Covington County: To provide for expenditures for tangibles and services from the fine and forfeiture fund of Covington County, Alabama; to repeal all laws or parts thereof in conflict herewith; and to fix the effective date hereof.

J. E. SPEIGHT
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 14. Expressing the sympathy of the people of Alabama and the Legislature to the surviving children and bereaved relatives of Honorable Hugh D. Merrill.

J.E. SPEIGHT
Secretary

DEDICATED

TO THE

MEMORY OF

HUGH D. MERRILL

Judge, Twice Speaker of the House, Lieutenant Governor
and Statesman.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Mr. Allen:

S.J.R. 18. BE IT RESOLVED by the Senate, the House concurring, that House Bill 6 be known and designated as the Davis and Allen Bill.

Also:

By Mr. Allen:

S.J.R. 19. BE IT RESOLVED by the Senate, the House concurring, that House Bill 5 be known and designated as the Davis and Allen Bill.

Also:

By Rules Committee:

S.J.R. 17. RESOLVED by the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again on Friday, February 11, 1955, at 10 o'clock A.M.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Davis the rules were suspended and the House concurred in and adopted the S.J.R. 18 set out in the above and foregoing Message from the Senate.

On motion of Mr. Davis the rules were suspended and the House concurred in and adopted the S.J.R. 19 set out in the above and foregoing Message from the Senate.

The S.J.R. 17 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Mr. Oden:

H.R. 16. RESOLVED, That the Justices of the Supreme Court, or a majority of them, are hereby respectfully requested to give the House of Representatives their written opinions concerning an important constitutional question which has arisen in connection with H.B. No. 38, now pending in the Legislature, as follows:

H.B. No. 38 proposes to amend Section 1 of Act No. 621, H. 906, approved September 15, 1953, entitled "An Act to provide an expense allowance to members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 24,500 nor more than 25,725 according to the last or any subsequent federal decennial census" (1953 Acts, vol. II p. 880). H.B. No. 38 is applicable only to Franklin County, and proof of publication of notice of intention to apply for its enactment has not been made to the House pursuant to Section 106 of the Constitution. Can H.B. No. 38 be validly enacted at this session of the Legislature.

On motion of Mr. Oden the rules were suspended and H.R. 16 was adopted.

ADJOURNMENT

On motion of Mr. Hawkins the House adjourned until Friday, February 11, 1955, at ten o'clock A.M.

SIXTH DAY

House of Representatives
Montgomery, Alabama
Friday, February 11, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend William C. Campbell, Minister, First Christian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Dement	Jenkins	Nolen
Adams	DeSear	Johnson (Elmore)	Oakley
Albea	Dickson	Johnson (Tallapoosa)	Oden
Ashworth	Edwards (Escambia)	Kaul	Payne
Bagley	Edwards (Jefferson)	Kelly	Perry
Bassett	Ferrell	Kendall	Pirkle
Boyd	Franklin	Killough	Ramey
Bradford	Gilchrist	Kirkham	Reynolds
Brannan	Goodwyn	Lackey	Richardson
Branyon	Gregory	Law	Selman
Brassell	Grouby	Lee (Barbour)	Shumate
Brewer	Hain	Lee (Lawrence)	Solomon
Broadfoot	Hall	Locke (Choctaw)	Speaks
Brooks	Haltom	Love	Steagall
Brown (Lamar)	Hanby	McClendon	Stembridge
Brown (Lee)	Hardy	McKay	Stokes
Burkhalter	Hare	McLendon	Summerlin
Callahan	Harrison	Martin	Taylor
Cornett	Harvey	Mathews	Thomas
Cox	Hawkins	Meeks	Tyson
Crook	Hodges	Money	Vacca
Davis	Holliman	Nettles	Ward
Dawkins	Huddleston	Nice	Windle
deGraffenried	Hunt		

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Fifth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Dawkins, the reading at length of the Journal of the House for the Fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Fifth legislative day was approved.

BILLS ON SECOND READING

Mr. Dawkins, Vice-Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 25. To provide for the appointment of deputy circuit solicitors in the Sixteenth Judicial Circuit, and for the payment of their compensation.

H. 19. To provide for the labeling or marking of coal which is transported into the state for sale within the state, for the inspection thereof, for the levying of a fee to be applied against the cost of such inspection, and for a penalty for failure to label or mark said coal.

H. 24. For the relief of James E. Allen and to appropriate for the said James E. Allen the sum of \$2,000.00, to compensate him for severe and permanent injuries and the partial loss of a hand while serving as a convict in Draper Prison.

H. 28. To provide for distribution of codes and code supplements, authorizing and directing the Secretary of State to supply certain legal-aid offices with codes and code supplements.

H. 29. Relating to the Sixth Judicial Circuit of Alabama, composed of Tuscaloosa County; and providing for and fixing the salary of the Official Court Reporters of such Judicial Circuit and providing for the payment thereof; and providing that said Court Reporters shall in addition receive the same fees for transcribing and writing up testimony and evidence taken by them as provided by law for other Court Reporters.

H. 30. To provide for the appointment and tenure and fixing the compensation of Bailiffs for Circuit Courts of Alabama in Circuits composed of one County and having two Circuit Judges.

H. 31. To fix the salary of the Deputy Circuit Solicitor of the Sixth Judicial Circuit.

H. 40. To amend further Section 366 of Title 52, Code of Alabama (1940), which provides for retirement age and retirement benefits under the Teachers' Retirement System.

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 13. Relating to Lauderdale County: To abolish the Board of Revenue of Lauderdale County, created by Act No. 205, S.B. 243, approved July 21, 1953, and to restore and re-establish the Court of County Commissioners of Lauderdale County in lieu thereof; to provide for its organization, powers, jurisdiction, and duties; and to provide for the qualifications, manner of election, and compensation of its members.

S. 14. Relating to the Twenty-Second Judicial Circuit, which is composed of Covington and Geneva Counties, fixing the salary of the

Official Court Reporter of such circuit and providing for the payment thereof:

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Ferrell (With Notice and Proof)

H. 43. To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

Notice and Proof H. 43:

Local Legislation No. 1.

NOTICE

STATE OF ALABAMA DEKALB COUNTY

Notice is hereby given that at the special session of the Legislature of Alabama convened on to-wit. January 25, 1955, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL

TO BE ENTITLED

AN ACT

To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid, motor fuel or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The term "gasoline" as used in this Act shall include gasoline, naphtha and other liquid motor fuels or any devices or substitutes therefor commonly used in internal combustion engines, provided that nothing contained in this Act shall apply to those products commonly known as kerosene oil, fuel oil, and crude oil used for lighting or heating purposes. The term "person" means and includes every person, corporation, co-partnership, company, agency or association, singular or plural. The term "distributor" shall include any person who shall engage in the

selling of gasoline as herein defined in DeKalb County, by wholesale, in domestic trade, but shall not apply to any transaction by such distributor in the inter-state commerce. The term "retail dealer" shall include any person herein defined as the distributor who is also engaged in the sale of gasoline as herein defined at any place in DeKalb County in broken quantities. The term "storer" as used herein shall include any person who ships gasoline into DeKalb County in tank quantities and stores the same and withdraws or uses same for any purpose.

Section 2. The governing body of DeKalb County, Alabama, may impose an excise tax of not exceeding 1c per gallon on persons, corporations, co-partnerships, companies agencies or association engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatever, gasoline or other liquid motor fuels or devices or substitutes therefor in DeKalb County, Alabama, and to require every distributor, retail dealer or storer of gasoline as herein defined to pay excise tax or 1c per gallon upon the selling, distributing or withdrawing from storage for any use, gasoline as herein defined in DeKalb County, Alabama; provided that the excise tax levied by this Act shall not be lecieed upon the sale of gasoline in inter-state commerce, and provided further that if the excise tax imposed by this Act upon the sale of such gasoline shall have been paid by a distributor or by retail dealer or storer, such payment shall be sufficient, the intention being that the tax shall not be paid but once. The excise tax imposed by this Act shall apply to persons, firms, corporations, dealers or distributors storing gasoline and distributing same or allowing the same to be withdrawn from storage, whether such withdrawal be for sale or other use, provided that sellers of gasoline and its substitutes paying the tax herein provided may pay the same computed and paid on the basis of their sales as hereinafter required, and storers and distributors shall compute and pay such tax on the basis of their withdrawals or distributions. The tax herein imposed shall be in addition to any and all excise or other taxes imposed on gasoline, naptha and other liquid motor fuels or any device or substitute therefor, or on the business of selling, distributing, storing or withdrawing from storage for any purpose, gasoline as herein defined by the State of Alabama or any other agency or subdivision of the State of Alabama except the governing body of said county shall have no authority to levy any tax upon any gasoline as herein defined when used in essential governmental functions by the County governing agencies, municipalities and boards of education.

Section 3. On or before the 20th day of each month after this Act has become effective, every person upon whom the excise tax is levied shall render to the governing body of such county on forms prescribed by such governing body a true and correct statement of all sales and withdrawals of gasoline made by him or them during the next preceding month, liable for payment of the excise tax imposed by this Act, and shall furnish to said governing body such additional information as such governing body may require upon blanks to be formulated and furnished by said governing body, and at the time of making such report shall pay to the said governing body an amount of money equal to the excise tax levied by this Act. The statement herein required to be made by the distributor, storer or retail dealer shall be sworn to before some officer authorized to administer oaths, and any false statement sworn to shall constitute perjury and upon conviction thereupon the person so convicted shall be punished as provided by law for the crime of perjury.

Section 4. All distributors, storers and retail dealers shall keep for not less than two years within the State of Alabama at some certain place or office such books, documents or papers as will clearly show the

amount of sale or withdrawals of gasoline made in DeKalb County taxed under this Act.

Section 5. Within thirty days after any tax shall have been levied under authority of this Act every distributor, storer or retail dealer engaged in the sale or withdrawal of gasoline in DeKalb County shall make a report on blanks furnished under Section 2 hereof to the governing body of said County, showing the place and postoffice address at which he is engaged in the business of distributor or storer or retail dealer in gasoline within said County, which information shall be entered by the governing body of said County on a book kept for that purpose, and should such distributor, storer or retail dealer move his place of business from one business address to another such distributor, storer or retail dealer shall within thirty days thereafter notify the said governing body of such removal, giving the former place and postoffice address and also the place and postoffice address to which his place of business has been removed. After the tax imposed under this Act has become effective, no person shall become a distributor, storer or seller of gasoline in said County until he shall have made such reports to the said governing body.

Section 6. If any distributor, storer or retail dealer of gasoline in said County shall fail to make the reports or any of them as required in any provision of this Act or shall fail to comply with any regulation adopted for the collection of said tax by the governing body of said County, within the time required for making such reports, or shall fail to pay the tax imposed within the time fixed for the payment thereof, said distributor, storer or retail dealer shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$50.00 nor more than \$300.00 for each offense.

Section 7. It shall be the duty of the governing body of said County to enforce the provisions of this Act upon its imposing the tax hereunder, and it shall have the right itself, or its members or its agents, to examine the books, reports and accounts of every distributor, storer or retail dealer of gasoline on which such tax has been imposed and to make any and all rules and regulations necessary and proper for the collection of such tax.

Section 8. If any distributor, storer or retail dealer in gasoline shall fail to make monthly reports or shall fail to pay the tax imposed under authority of this Act, the tax shall be deemed delinquent within the meaning of this Act and there shall be added to the amount of his tax a penalty of 25% provided if in the opinion of the governing body of the said County a good and sufficient cause or reason is shown for such delinquency, the penalty may be remitted. The said governing body shall be authorized and empowered to make returns for delinquent tax payers upon such information as it may reasonably obtained add to that the penalty as prescribed by this Act. If any person shall be delinquent in the payment of any tax imposed by this Act, the governing body of said County shall issue execution for the collection of the same, directed to any Sheriff of the State of Alabama, who shall proceed to collect the same in the manner now provided by the law for the collection of delinquent taxes by the County Tax Collector and make return of such execution to the governing body issuing the same. The tax herein authorized to be levied and the penalties herein provided for shall be held as a debt payable to the County of DeKalb by the person against whom the same shall have been imposed or against whom the penalties shall have accrued, and all such taxes and penalties shall be a lien upon the property in said County and elsewhere in this State of the person against whom said tax shall have been imposed and the penalties shall have accrued.

Section 9. The acceptance of any amount paid for the excise tax

imposed under this Act shall not preclude the collection of the amount actually due. However, the amount actually paid shall constitute a credit against the amount actually due.

Section 10. Any distributor, storer or dealer who shall violate any provisions of this Act or shall fail to comply with any reasonable rule or regulation promulgated hereunder, may be restrained, and proper prosecution instituted in the name of said County by the Attorney General of the State of Alabama, or by such counsel as the governing body of said County shall direct, from distributing, selling, storing or withdrawing from storage any gasoline the sale or withdrawal of which is taxable until such persons shall have complied with the provisions of this Act.

Section 11. Each agent or any railroad company, bus or truck operator or other transportation company or agency operating in DeKalb County shall report to the governing body of said County on the first day of January, April, July and October of each year all shipments of gasoline as defined in this Act or substitutes therefor handled by him or through the station or office at which he is the agent, and delivered to any person in DeKalb County, Alabama, during the preceding three months, giving the names and address of the consignor or consignee shipping and receiving said gasoline or substitute therefor and the number of gallons or pounds contained in each and every shipment.

Section 12. Except as herein otherwise provided, the proceeds of any tax imposed under authority of this act shall be used exclusively for the surfacing, maintenance, repair and construction of public roads and bridges in DeKalb County and no part of such tax shall be pledged in anticipation of its collection for any purpose.

Section 13. Upon the request of the governing body of such County, the State Tax Commission of Alabama, with the approval of the Governor may collect the tax imposed under this Act for and on behalf of DeKalb County; and in that event it is given all the powers, jurisdiction, authority and privileges granted to the governing body of DeKalb County hereunder, and all reports, payments and information required to be made, paid or given to the governing body of such county, shall be made, paid or given to the State Tax Commission under the penalties and subject to the prosecution prescribed herein. This section being for the benefit of the County, the State Tax Commission and the State of Alabama, shall be chargeable only with the tax actually collected by it. The State Tax Commission, upon the collection of such tax shall, within five days remit the same to the governing body of DeKalb County.

Section 14. The taxes levied under the provisions of this Act are for the purpose of constructing and maintaining county roads and of assisting the county in financing contracts entered into between DeKalb County and the State Highway Director of the State of Alabama which may provide for the construction of roads in DeKalb County and all proceeds of taxes collected under the provisions of this act shall be covered into DeKalb County Gasoline Fund of DeKalb County, Alabama, and to the extent necessary may be used to replace the loss of any funds from said Gasoline fund which is derived from State gasoline taxes and which may be pledged in the liquidation of any indebtedness incurred by virtue of said road program as set out in said contract.

Section 15. Should any section, paragraph or portion of this Act be declared unconstitutional it shall not invalidate the remaining sections, paragraphs or portions hereof.

Section 16. The excise tax imposed by the provisions of this Act shall expire August 1, 1965.

Section 17. That all laws and parts of laws in conflict with the pro-

visions of this Act are hereby repealed insofar as they relate to DeKalb County, Alabama.

Section 18. This Act shall take effect and become operative on the 1st day of August, 1955, and upon its passage and approval by the Governor or is otherwise enacted into law.

**STATE OF ALABAMA,
DEKALB COUNTY.**

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. O. Davidson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was owner and publisher of The Fort Payne Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 19, January 26, February 2, and February 9, 1955.

E. O. DAVIDSON

Sworn to and subscribed before me, this February 9, 1955.

C. A. WOLFES
Notary Public

By Messrs. Vacca, Gregory, Ashworth, Franklin, Jenkins, Cox, Hunt, Brassell, and Meeks:

H. 44. To propose an amendment to the Constitution of Alabama relative to the authorization of additional taxes on the taxable property within each school district in each county of the State of Alabama for public school purposes.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Mr. Broadfoot:

H. 45. Creating the office of commissioner of licenses in all counties having a population of not less than 53,000 inhabitants nor more than 56,000 inhabitants, according to the 1950 or any subsequent decennial census of the United States; providing for the election, term, compensation, and powers and duties of such officer; providing for the appointment of a deputy commissioner of licenses and for the appointment of necessary clerical assistants; providing that the commissioner of licenses shall issue all licenses, assess for taxation, collect the ad valorem taxes, issue the licenses, and distribute the tags on all motor vehicles in such counties; and transferring the duties from the tax assessor, tax collector, and judge of probate in such counties to the commissioner of licenses of all matters relative to the registration, assessment for taxes, collection of ad valorem taxes, and distribution of tags for motor vehicles, and the issuance of all licenses.

Local Legislation No 1.

By Messrs. Selman and Shumate (With Notice and Proof):

H. 46. Relating to the town of Parrish in Walker County; repealing an Act approved June 18, 1953 (Act No. 102, H. 330, Acts of Alabama, 1953, p. 145), and an Act approved August 14, 1953 (Act No. 327, H. 603, Acts of Alabama, 1953, p. 384), both of which altered and extended the

boundary lines and corporate limits of the town of Parrish in Walker County.

Notice and Proof H. 46:

Local Legislation No. 1.

STATE OF ALABAMA,
COUNTY OF WALKER.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL

TO BE ENTITLED

AN ACT

Relating to the town of Parrish in Walker County; repealing an Act approved June 18, 1953 (Act No. 102, H. 330, Acts of Alabama, 1953, p. 145), and an Act approved August 14, 1953 (Act No. 327, H. 603, Acts of Alabama, 1953, p. 384), both of which altered and extended the boundary lines and corporate limits of the town of Parrish in Walker County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. An Act approved June 18, 1953 (Act No. 102, H. 330, Acts of Alabama, 1953, p. 145), and an Act approved August 14, 1953 (Act No. 327, H. 603, Acts of Alabama, 1953, p. 384), both of which altered and extended the boundary lines and corporate limits of the town of Parrish in Walker County, Alabama, are hereby repealed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

REUBEN L. NEWTON,
Senator 12th Senatorial District
ALONZO SHUMATE, Representative
Place No. 1, Walker County
T. K. SELMAN, Representative
Place No. 2, Walker County

1-20-4t

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF WALKER.

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. W. Bottler Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 20, Jan. 27, Feb. 3, and Feb. 10, all in the year 1955.

R. W. BOTTLER JR.,

Sworn to and subscribed before me February 10, 1955.

FAY O. REAS,
Notary Public

By Messrs. Selman and Shumate (With Notice and Proof):

H. 47. Relating to Walker County; authorizing the circuit clerk to appoint an assistant; and providing for the compensation of the assistant. Notice and Proof H. 47:

Local Legislation No. 1.

STATE OF ALABAMA,
COUNTY OF WALKER.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County; authorizing the circuit clerk to appoint an assistant; and providing for the compensation of the assistant.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The circuit clerk of Walker County is hereby authorized and empowered to appoint an assistant, to hold office at the pleasure of the circuit clerk. The assistant appointed by the circuit clerk shall receive a salary of twenty-one hundred dollars per annum, payable in equal monthly installments out of the general fund of the county.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

REUBEN L. NEWTON,
Senator—12th Senatorial District
ALONZO SHUMATE Representative,
Place No. 1, Walker County
T. K. SELMAN, Representative,
Place No. 1, Walker County, Ala.

1-20-55 4t.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF WALKER.

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. I. Dove, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Walker County Times, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 20, January 27, February 3, and February 10. all in the year 1955.

W. I. DOVE

Sworn to and subscribed before me 10 day of February, 1955.

MRS. ANNIE DAVIS,
Notary Public

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions and House Bills, to-wit:

H.J.R. 11. Relative to expressing regret at the passing of Mrs. W. D. Utley, the grandmother of the wife of Governor James E. Folsom, and extending sympathy to members of her family.

Also:

H.J.R. 13. Relative to expressing regret at the passing of the Honorable Fred Fite, prominent attorney of Hamilton, Alabama and former member of the Alabama House of Representatives and State Senator from the Thirteenth District, and extending sympathy to members of his family.

Also:

H.J.R. 14. Relative to expressing regret at the passing of the Honorable Hugh D. Merrill, former member of the House of Representatives and Speaker of the House on two separate occasions and Lieutenant Governor of Alabama, and extending sympathy to members of his family.

Also:

H. 4. To repeal Act No. 42 (General Acts of Alabama, 1953, page 56) approved June 3, 1953, entitled "An Act relating to counties having a population of not less than seventy-five thousand (75,000) nor more than ninety thousand (90,000) inhabitants according to the 1950 or any subsequent decennial census of the United States; providing for a perpetual inventory of all property subject to taxation in such counties; directing the Governing Body of every such county to appropriate the portion of the cost of the inventory borne by the county, and to prorate the portion of the cost borne by the county among the county and each board of education and each municipality in the county; and to appropriate such sum as may be necessary to provide for the portion of the cost of the inventory borne by the State," as amended by Act No. 517, (General Acts of Alabama, 1953, page 651) approved September 3, 1953, entitled "An Act to Amend Act No. 42, S. 119, approved June 3, 1953, entitled 'An Act relating to counties having a population of not less than seventy-five thousand (75,000), nor more than ninety thousand (90,000) inhabitants according to the 1950 or any subsequent decennial census of the United States; providing for a perpetual inventory of all property subject to taxation in such counties; directing the governing body of every such county to appropriate the portion of the cost of the inventory borne by the county, and to prorate the portion of the cost borne by the county among the county and each board of education, and each municipality in the county; and to appropriate such sum as may be necessary to provide for the portion of the cost of the inventory borne by the State.'"

Also:

H. 5. To reorganize the government of Cullman County to promote economy and efficiency, abolishing the Board of Commissioners and Control, creating in lieu thereof a county commission, transferring certain county functions in relation to the construction, repair, and

maintenance of public roads and bridges to the State Highway Department.

Also:

H. 6. Relating to Cullman County: Creating the Cullman County Commission on Education to administer the public school laws, supervise the public school system, and promote the educational interests of the county, limiting the jurisdiction of the Commission to schools not subject to the jurisdiction of the City of Cullman or any of its instrumentalities; abolishing the board of education of Cullman County and the office of county superintendent of education; providing for the election of members of the Commission and for the election of a superintendent of county schools, fixing their terms, qualifications, and compensation, and prescribing their powers and duties.

Also:

H. 8. Relating to Covington County: To provide for expenditures for tangibles and services from the fine and forfeiture fund of Covington County, Alabama; to repeal all laws or parts thereof in conflict herewith; and to fix the effective date hereof.

And finds same correctly enrolled.

RANKIN FITE
Chairman

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 9. To amend further Sections 394 and 409, Title 51, Code of Alabama (1940), which relate to income taxes, by providing for a change in the time of filing returns of and paying such tax.

RANKIN FITE,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S.J.R. 15. Relative to appointment of Senator Van Antwerp to fill out the unexpired term of former Senator Thos. A. Johnston on Gulf

States Marine Fisheries Commission.

Also:

S.J.R. 16. Relative to expression of sympathy to the surviving family of Colonel Woolsey Finnell, in the death of a distinguished Alabama citizen.

Also:

S.J.R. 18. Relative to naming House Bill 6.

Also:

S.J.R. 19. Relative to naming House Bill 5.

Also:

S. 1. Relating to Marengo County; to amend Section 2 of an Act approved September 19, 1923, entitled "An Act to establish a Board of Revenue for Marengo County, and for the abolishment of the Court of County Commissioners of said County" (Act No. 311, p. 188, Local Acts of Alabama, 1923).

Also:

S. 3. To validate elections held since June 4, 1951, under the provisions of Article 6 or 7 of Chapter 10, Title 52, Code of Alabama, 1940.

Also:

S. 8. To amend Section 1. of Act No. 311, approved July 31, 1951, which fixes the compensation of the Sheriff in counties of more than 96,000 population and less than 140,000 population, according to the last Federal census or any subsequent Federal census and provides for help and assistance and other expenses necessary to the conduct of the office of Sheriff, by providing for the appointment of the Chief Deputy independently from the Merit Board roster in those counties under this Act having a Merit System.

Also:

S. 9. To amend Section 27 of Act No. 813, S. 662, approved September 11, 1951, (Acts of Alabama 1950-1951, pages 1426-1447), which relates to providing for and prescribing the form of government for all cities of Alabama having a population of not less than 75,000 nor more than 125,000 inhabitants according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census by more particularly defining the employees covered thereunder.

Secretary

J. E. SPEIGHT

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Senate has originated and adopted the following Senate Joint ly after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Speaker of the House, in the presence of the House, immediate-

Resolution and sends same herewith to the House for its consideration:
By Messrs. Coleman and Yarbrough (Randolph);

S.J.R. 20. BE IT RESOLVED by the Senate, the House of Representatives concurring, that Senate Bill No. 3 be known as the Yarbrough (Randolph)-Summerlin Bill.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Goodwyn the rules were suspended and the House concurred in and adopted the S.J.R. 20 set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Mr. McKay:

H.J.R. 17. RESOLVED by the House, the Senate concurring, That there shall be a committee of three members of the House appointed by the Speaker and three Senators appointed by the President of the Senate to make an inquiry into the operations of the Alabama State Docks Board with a view to recommending legislation establishing a more adequate supervision and control of such operations, and to report their findings to the Legislature at the next regular or special session thereof.

RESOLVED FURTHER, That the expenses of the committee, including their per diem compensation during any interim when the Legislature is not in session, shall be paid out of funds appropriated for the use of the Legislature, on requisitions signed by the chairman of said committee.

The motion of Mr. McKay to suspend the rules in order to bring up for immediate consideration the above and foregoing H.J.R. 17 was lost.

Yeas 15; Nays 50.

Yeas:

Mr. Speaker	Gilchrist	Locke (Choctaw)	Nettles
Brassell	Hodges	Love	Richardson
Brewer	Holliman	McKay	Tyson
Burkhalter	Huddleston	Money	

—15

Nays:

Messrs:	Davis	Hare	Perry
Adams	Dawkins	Harrison	Pirkle
Albea	deGraffenried	Harvey	Ramey
Ashworth	Dement	Hunt	Selman
Bagley	Edwards (Escambia)	Jenkins	Shumate
Bassett	Ferrell	Johnson (Tallapoosa)	Solomon
Boyd	Goodwyn	Killough	Speaks
Branyon	Gregory	Law	Steagall
Broadfoot	Grouby	Lee (Barbour)	Stembridge
Brooks	Hain	Lee (Lawrence)	Taylor
Brown (Lamar)	Hall	McClendon	Thomas
Cornett	Hanby	Martin	Ward
Crook	Hardy	Nolen	

—50

And said resolution H.J.R. 17 was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sent same herewith to the House for its consideration:

By Mr. Cooper:

S.J.R. 22. BE IT RESOLVED by the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, February 15th, at 10 o'clock A.M.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

Mr. Nolen offered the following amendment to S.J.R. 22 set out in the above and foregoing Message from the Senate:

Amend S.J.R. 22 by striking out at the end thereof the following:
"At 10 o'clock A.M."

And the amendment was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Flowers:

S. 16. To amend Section 6 of Act No. 46, S. 154, approved June 2, 1949, an Act which authorizes the incorporation in any county of a public corporation for hospital purposes (1940 Acts 68).

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 16. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 7. Relating to Escambia County: Creating the office of Commissioner of Education of Escambia County to administer the public school laws, supervise the public school system, and promote the educational interests of the county; abolishing the office of the county superintendent of education; transferring the duties, powers and authority of the superintendent of education to the Commissioner of Education.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Edwards of Escambia the House concurred in and adopted the Senate amendment to the bill, H. 7, said Senate amendment being as follows:

AMENDMENT OF H.B. NO. 7

Amend Section 7 of the bill to read as follows:

Section 7. This Act shall become effective upon the first day of July next after its passage and approval by the Governor.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Dawkins	Hodges	Money
Adams	deGraffenried	Holliman	Nettles
Ashworth	DeSear	Hunt	Nolen
Bassett	Dickson	Johnson (Elmore)	Oakley
Boyd	Edwards (Escambia)	Johnson (Tallapoosa)	Oden
Bradford	Edwards (Jefferson)	Kaul	Payne
Brannan	Ferrell	Killough	Ramey
Branyon	Franklin	Kirkham	Richardson
Brassell	Gilchrist	Lackey	Selman
Brewer	Goodwyn	Law	Shumate
Brown (Lamar)	Gregory	Lee (Barbour)	Solomon
Brown (Lee)	Grouby	Lee (Lawrence)	Steagall
Burkhalter	Hall	Love	Stokes
Cornett	Hanby	McClendon	Taylor
Cox	Hare	McKay	Tyson
Crook	Harrison	Martin	Vacca
Davis	Harvey	Meeks	Windle

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 10. To amend further Section 254 of Title 13 of the Alabama Code of 1940, which relates to Deputy Solicitors of the 13th Judicial Circuit.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 21. To extend, alter and rearrange the boundary lines and corporate limits of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Joint Resolution:

S.J.R. 22. Relative to adjournment of the two Houses until Tuesday, February 15th.

J. E. SPEIGHT,
Secretary.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:20 A.M. On February 11, 1955.

H. J. R. 11.

H. J. R. 13.

H. J. R. 14.

H. 4.

H. 5.

H. 6.

H. 8.

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Stokes the House adjourned until Tuesday, February 15, 1955, at twelve o'clock, noon.

SEVENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, February 15, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend W. H. Swearingen, Pastor, First Baptist Church, Phil Campbell, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Bagley	Brannan	Broadfoot
Adams	Bassett	Branyon	Brooks
Albea	Boyd	Brassell	Brown (Lamar)
Ashworth	Bradford	Brewer	Brown (Lee)

Burkhalter	Hall	Lee (Lawrence)	Pruitt
Callahan	Haltom	Locke (Choctaw)	Ramey
Cornett	Hanby	Locke (Perry)	Reynolds
Cox	Hare	Love	Richardson
Crook	Harrison	McClendon	Roberts
Dawkins	Harvey	McKay	Selman
deGraffenried	Hawkins	McLendon	Shumate
Dement	Hodges	McNider	Simon
DeSear	Huddleston	Martin	Solomon
Dickson	Hunt	Meeks	Speaks
Edwards (Escambia)	Jenkins	Molette	Steagall
Edwards (Jefferson)	Johnson (Elmore)	Money	Stembridge
Faulk	Johnson (Tallapoosa)	Murphy	Stokes
Ferrell	Kaul	Nettles	Summerlin
Franklin	Kelly	Nice	Taylor
Gilchrist	Kendall	Nolen	Tyson
Gist	Killough	Oakley	Vacca
Goodwyn	Kirkham	Oden	Ward
Gregory	Lackey	Payne	Windle
Grouby	Law	Perry	Wood
Hain	Lee (Barbour)	Pirkle	

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the sixth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the sixth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the sixth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 7. Relating to Escambia County: Creating the office of Commissioner of Education of Escambia County to administer the public school laws, supervise the public school system, and promote the educational interests of the county; abolishing the office of the county superintendent of education; transferring the duties, powers and authority of the superintendent of education to the Commissioner of Education.

Also:

H. 10. To amend further Section 254 of Title 13 of the Alabama Code of 1940, which relates to Deputy Solicitors of the 13th Judicial Circuit.

Also:

H. 21. To extend, alter and rearrange the boundary lines and corpo-

rate limits of the City of Tuscaloosa, in Tuscaloosa County, Alabama.
And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Callahan and deGraffenried:

H.J.R. 18. Authorizing the Board of Trustees of the University of Alabama to designate a cooperative dormitory for women as "Hayden-Harris House".

THEREAS, the Board of Trustees of the University of Alabama has indicated its disposition to designate the cooperative dormitory for women, formerly commonly known as "Harris House", the "Hayden-Harris House" in honor of Mrs. Bessie Leach Hayden, one of the first female students to graduate from the University of Alabama and for a long number of years Director of a Self-help Program for women students in the Dean of Women's Office, where she endeared herself to thousands of women students; and the late Dean Agnes Ellen Harris, former Dean of Women and Dean of the School of Home Economics at the University of Alabama; therefore

BE IT RESOLVED by the House of Representatives, of Alabama, the Senate concurring, that the Board of Trustees of the University of Alabama is hereby authorized to designate the cooperative dormitory for women students as the "Hayden-Harris House".

On motion of Mr. deGraffenried the rules were suspended and H.J.R. 18 was adopted.

Also:

By Messrs. Callahan and deGraffenried:

H.J.R. 19. Authorizing the Board of Trustees of the University of Alabama to designate the building used as the Birmingham University Center as "Robert E. Tidwell Hall".

WHEREAS, the Board of Trustees of the University of Alabama has indicated its disposition to designate the building on the Birmingham University Campus, used as the Birmingham University Center, the "Robert E. Tidwell Hall" in honor of Dean Emeritus Robert E. Tidwell, the first Dean of Extension of the University of Alabama and former Superintendent of Education of the State of Alabama; therefore

BE IT RESOLVED by the House of Representatives of Alabama, the Senate concurring, that the Board of Trustees of the University of Alabama is hereby authorized to designate the building used as the Birmingham University Center as the "Robert E. Tidwell Hall".

On motion of Mr. deGraffenried the rules were suspended and H.J.R. 19 was adopted.

Also:

By Messrs. Meeks, Nice, Perry, Vacca, Edwards (Jefferson), Lackey and Kaul:

H.J.R. 20 Relative to the death of Theodore Swann:

WHEREAS, Theodore Swann, engineer and industrialist of Birmingham, Alabama, died at his home in Birmingham on Saturday, February 5, 1955, after a long illness; and

WHEREAS, Theodore Swann was widely known and respected in this State, through his many business, professional, and civic activities; and

WHEREAS, the State of Alabama has suffered a great loss in the death of this distinguished citizen; now, therefore,

BE IT RESOLVED by the House of Representatives, the Senate concurring: That the Legislature hereby expresses its deep regret at the passing of Theodore Swann, and extends its sincere sympathy to the surviving members of his family.

BE IT FURTHER RESOLVED, that the Clerk of the House of Representatives transmit a copy of this resolution to the widow of Mr. Swann, Mrs. Katherine Dunwoody Swann, Birmingham, Alabama.

On motion of Mr. Meeks the rules were suspended and H.J.R. 20 was adopted.

BILLS ON SECOND READING

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 16. To amend Section 6 of Act No. 46, S. 154, approved June 2, 1949, an Act which authorizes the incorporation in any county of a public corporation for hospital purposes (1949 Acts 68).

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 43. (With Amendment) To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1., reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 46, Relating to the town of Parrish in Walker County; repealing an Act approved June 18, 1953 (Act No. 102, H. 330, Acts of Alabama,

1953, p. 145), and an Act approved August 14, 1953 (Act No. 327, H. 603, Acts of Alabama, 1953, p. 384), both of which altered and extended the boundary lines and corporate limits of the town of Parrish in Walker County.

H. 47. Relating to Walker County; authorizing the circuit clerk to appoint an assistant; and providing for the compensation of the assistant.

BILLS ON THIRD READING

H. 29. Relating to the Sixth Judicial Circuit of Alabama, composed of Tuscaloosa County; and providing for and fixing the salary of the Official Court Reporters of such Judicial Circuit and providing for the payment thereof; and providing that said Court Reporters shall in addition receive the same fees for transcribing and writing up testimony and evidence taken by them as provided by law for other Court Reporters.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	DeSear	Hunt	Nolen
Adams	Dickson	Jenkins	Oakley
Albea	Edwards ^(Escambia)	Johnson ^(Elmore)	Oden
Ashworth	Edwards ^(Jefferson)	Johnson ^(Tallapoosa)	Payne
Bagley	Faulk	Killough	Perry
Bassett	Ferrell	Lackey	Pirkle
Boyd	Franklin	Law	Pruitt
Bradford	Gilchrist	Lee ^(Barbour)	Ramey
Branyon	Gist	Lee ^(Lawrence)	Reynolds
Brasseli	Goodwyn	Locke ^(Choctaw)	Richardson
Brewer	Gregory	Locke ^(Perry)	Roberts
Broadfoot	Grouby	Love	Selman
Brooks	Hain	McClendon	Shumate
Brown ^(Lamar)	Hall	McKay	Simon
Burkhalter	Haltom	McLendon	Speaks
Callahan	Hanby	Martin	Steagall
Cornett	Hare	Meeks	Stembridge
Cox	Harrison	Molette	Summerlin
Crook	Harvey	Money	Tyson
Dawkins	Hawkins	Murphy	Vacca
deGraffenried	Hodges	Nettles	Ward
Dement	Huddleston	Nice	Wood

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And the bill:

H. 31. To fix the salary of the Deputy Circuit Solicitor of the Sixth Judicial Circuit.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Bradford	Burkhalter	Dement
Adams	Branyon	Callahan	DeSear
Albea	Brassell	Cornett	Dickson
Ashworth	Brewer	Cox	Edwards ^(Escambia)
Bagley	Broadfoot	Crook	Edwards ^(Jefferson)
Bassett	Brooks	Dawkins	Faulk
Boyd	Brown ^(Lamar)	deGraffenried	Ferrell

Franklin	Huddleston	McLendon	Ramey
Gilchrist	Hunt	Martin	Reynolds
Gist	Jenkins	Meeks	Richardson
Goodwyn	Johnson (Elmore)	Molette	Roberts
Gregory	Johnson (Tallapoosa)	Money	Selman
Grouby	Killough	Murphy	Shumate
Hain	Lackey	Nettles	Simon
Hall	Law	Nice	Speaks
Haltom	Lee (Barbour)	Nolen	Steagall
Hanby	Lee (Lawrence)	Oakley	Stembridge
Hare	Locke (Choctaw)	Oden	Tyson
Harrison	Locke (Perry)	Payne	Vacca
Harvey	Love	Perry	Ward
Hawkins	McClendon	Pirkle	Windle
Hodges	McKay	Pruitt	Wood

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And the bill:

S. 14. Relating to the Twenty-Second Judicial Circuit, which is composed of Covington and Geneva Counties, fixing the salary of the Official Court Reporter of such circuit and providing for the payment thereof:

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Elmore)	Oden
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Payne
Albea	Edwards (Jefferson)	Kendall	Perry
Ashworth	Faulk	Killough	Pirkle
Bagley	Ferrell	Lackey	Pruitt
Bassett	Franklin	Law	Ramey
Boyd	Gilchrist	Lee (Barbour)	Reynolds
Bradford	Gist	Lee (Lawrence)	Richardson
Brannan	Goodwyn	Locke (Choctaw)	Roberts
Branyon	Gregory	Locke (Perry)	Selman
Brassell	Grouby	Love	Shumate
Brewer	Hain	McClendon	Simon
Broadfoot	Hall	McKay	Speaks
Brooks	Haltom	McLendon	Steagall
Brown (Lamar)	Hanby	Martin	Stembridge
Burkhalter	Hare	Meeks	Stokes
Callahan	Harrison	Molette	Summerlin
Cornett	Harvey	Money	Tyson
Cox	Hawkins	Murphy	Vacca
Crook	Hodges	Nettles	Ward
deGraffenried	Huddleston	Nice	Windle
Dement	Hunt	Nolen	Wood
DeSear	Jenkins	Oakley	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S.J.R. 20. Relative to naming Senate Bill 3.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING RESUMED

H. 25. To provide for the appointment of deputy circuit solicitors in the Sixteenth Judicial Circuit, and for the payment of their compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Dement	Hunt	Nice
Adams	DeSear	Jenkins	Nolen
Albea	Dickson	Johnson (Elmore)	Oakley
Ashworth	Edwards (Escambia)	Johnson (Tallapoosa)	Oden
Bagley	Faulk	Kendall	Payne
Bassett	Ferrell	Killough	Perry
Boyd	Gilchrist	Kirkham	Pirkle
Bradford	Gist	Lackey	Pruitt
Brannan	Goodwyn	Lee (Barbour)	Ramey
Branyon	Gregory	Lee (Lawrence)	Roberts
Brassel	Grouby	Locke (Choctaw)	Selman
Brewer	Hain	Locke (Perry)	Shumate
Broadfoot	Hall	Love	Simon
Brooks	Haltom	McClendon	Speaks
Brown (Lamar)	Hanby	McKay	Steagall
Burkhalter	Hare	McLendon	Stembridge
Callahan	Harrison	Meeks	Summerlin
Cornett	Harvey	Molette	Tyson
Cox	Hawkins	Money	Ward
Crook	Hodges	Murphy	Windle
Dawkins	Huddleston	Nettles	Wood
deGraffenried			

—85

And the bill:

S. 7. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Was again taken up.

Mr. Harrison offered the following substitute for the bill, S. 7:

Substitute for S. 7.

**A BILL
TO BE ENTITLED
AN ACT**

To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In all cases where there has been since January 1, 1953, an attempt to organize the inhabitants of any territory as a municipal corporation under the provisions of Article 1 of Chapter 2 of Title 37 of the Code of Alabama of 1940, and the Judge of Probate of the county in which such territory is situated has made an order that the inhabitants of such territory are incorporated as a town or city, as the case may be, pursuant to Section 13 of Title 37 of said Code, but the attempted incorporation is invalid because of some irregularity in the procedure followed, the incorporation of any municipality so attempted to be organized, and with respect to which such order has been made, shall be and is hereby validated ab initio in accordance with the description of the territory attempted to be incorporated as the said description is contained in such order, or, if the description of the territory attempted to be incorporated is not contained in such order, in accordance with the description of said territory contained in the petition of the electors filed with said Judge of Probate, notwithstanding any failure to comply with the requirements respecting the signatures to or contents of the petition for incorporation, any irregularities as to publication or posting, or any other failure to comply with the procedures set forth in the said article or otherwise required by law; provided, that this Act shall not apply to the incorporation of any municipality held invalid by a court of competent jurisdiction by judgement entered prior to the effective date of this Act.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dement	Hunt	Oakley
Adams	DeSear	Jenkins	Oden
Albea	Dickson	Johnson ^(Elmore)	Perry
Ashworth	Edwards ^(Escambia)	Johnson ^(Tallapoosa)	Pirkle
Bagley	Edwards ^(Jefferson)	Kendall	Pruitt
Bassett	Faulk	Killough	Ramey
Boyd	Ferrell	Kirkham	Reynolds
Bradford	Franklin	Lackey	Richardson
Brannan	Gilchrist	Law	Roberts
Branyon	Gist	Lee ^(Barbour)	Selman
Brassell	Goodwyn	Lee ^(Lawrence)	Shumate
Brewer	Gregory	Locke ^(Choctaw)	Simon
Broadfoot	Grouby	Love	Speaks
Brooks	Hain	McClendon	Steagall
Brown ^(Lamar)	Hall	McKay	Stembridge
Brown ^(Lee)	Haltom	McLendon	Stokes
Burkhalter	Hanby	Martin	Summerlin
Callahan	Hare	Meeks	Tyson
Cornett	Harrison	Molette	Vacca
Cox	Harvey	Money	Ward
Crook	Hawkins	Murphy	Windle
Dawkins	Hodges	Nettles	Wood
deGraffenried	Huddleston	Nolen	

—91

And said bill, S. 7, as thus amended, was again read at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dement	Hunt	Nolen
Adams	DeSear	Jenkins	Oakley
Albea	Dickson	Johnson (Elmore)	Oden
Ashworth	Edwards (Escambia)	Johnson (Tallapoosa)	Perry
Bagley	Edwards (Jefferson)	Kendall	Pirkle
Bassett	Faulk	Killough	Pruitt
Boyd	Ferrell	Kirkham	Ramey
Bradford	Franklin	Lackey	Reynolds
Brannan	Gilchrist	Law	Richardson
Branyon	Gist	Lee (Barbour)	Roberts
Brassell	Goodwyn	Lee (Lawrence)	Selman
Brewer	Gregory	Locke (Choctaw)	Shumate
Broadfoot	Grouby	Locke (Perry)	Simon
Brooks	Hain	Love	Speaks
Brown (Lamar)	Hall	McClendon	Steagall
Brown (Lee)	Haltom	McKay	Stembridge
Burkhalter	Hanby	McLendon	Stokes
Callahan	Hare	Martin	Summerlin
Cornett	Harrison	Meeks	Tyson
Cox	Harvey	Molette	Vacca
Crook	Hawkins	Money	Ward
Dawkins	Hodges	Murphy	Windle
deGraffenried	Huddleston	Nettles	Wood

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H. 14 INDEFINITELY POSTPONED

On motion of Mr. Harrison, the bill, H. 14, was indefinitely postponed.

And the bill:

H. 36. To provide further for the place of payment of privilege or license taxes due and payable under subsection (b) of Section 619, Title 51, Alabama Code 1940, as amended, when an additional indebtedness is incurred under a mortgage, deed of trust, contract of conditional sale, or other instrument of like character previously given to secure the payment of any debt and filed for record in any county of Alabama; to provide further for the terms and conditions of a bond required to be executed to secure such payment; and to give such provisions retroactive effect.

Was taken up.

The motion of Mr. Adams to lay on the table the motion of Mr. Grouby to postpone further consideration of the bill, H. 36, until the next legislative day was lost.

Yeas 41; Nays 47.

Yeas:

Mr. Speaker	Crook	Jenkins	Nolen
Adams	Dawkins	Johnson (Elmore)	Perry
Bassett	Ferrell	Johnson (Tallapoosa)	Pirkle
Boyd	Gilchrist	Kaul	Roberts
Bradford	Hall	Kendall	Simon
Branyon	Haltom	Law	Steagall
Brassell	Hanby	Locke (Choctaw)	Stembridge
Brewer	Harrison	McLendon	Tyson
Brown (Lamar)	Hawkins	Murphy	Vacca
Brown (Lee)	Hunt	Nice	Ward
Burkhalter			

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Nays:

Messrs:	Edwards ^(Escambia)	Killough	Oakley
Albea	Edwards ^(Jefferson)	Kirkham	Oden
Ashworth	Faulk	Lackey	Payne
Bagley	Franklin	Lee ^(Barbour)	Ramey
Broadfoot	Goodwyn	Lee ^(Lawrence)	Richardson
Brooks	Gregory	Locke ^(Perry)	Selman
Cornett	Grouby	Love	Shumate
Cox	Hain	McKay	Speaks
deGraffenried	Hare	Martin	Stokes
Dement	Harvey	Meeks	Taylor
DeSear	Hodges	Money	Windle
Dickson	Huddleston	Nettles	Wood

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Mr. McKay moved to reconsider the vote by which the motion of Mr. Adams to lay on the table the motion of Mr. Grouby to postpone further consideration of the bill, H. 36, until the next legislative day was lost. And the motion of Mr. McKay to reconsider was adopted.

And the motion of Mr. Adams to lay on the table the motion of Mr. Grouby to postpone further consideration of the bill, H. 36, until the next legislative day was adopted.

On motion of Mr. Adams, further consideration of the bill, H. 36, was postponed until the next legislative day.

And the bill:

H. 24. For the relief of James E. Allen and to appropriate for the said James E. Allen the sum of \$2,000.00, to compensate him for severe and permanent injuries and the partial loss of a hand while serving as a convict in Draper Prison.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dement	Jenkins	Payne
Adams	DeSear	Johnson ^(Elmore)	Perry
Albea	Dickson	Johnson ^(Tallapoosa)	Pirkle
Ashworth	Edwards ^(Escambia)	Kendall	Pruitt
Bagley	Edwards ^(Jefferson)	Killough	Ramey
Bassett	Faulk	Kirkham	Reynolds
Boyd	Ferrell	Lackey	Roberts
Bradford	Franklin	Law	Selman
Brannan	Gilchrist	Lee ^(Barbour)	Shumate
Branyon	Gist	Lee ^(Lawrence)	Simon
Brassell	Goodwyn	Locke ^(Choctaw)	Solomon
Brewer	Gregory	Love	Speaks
Broadfoot	Grouby	McClendon	Steagall
Brooks	Hain	McKay	Stembridge
Brown ^(Lamar)	Hall	McLendon	Stokes
Brown ^(Lee)	Haltom	Martin	Summerlin
Burkhalter	Hanby	Meeks	Taylor
Callahan	Hare	Molette	Tyson
Cornett	Harrison	Money	Vacca
Cox	Hawkins	Murphy	Ward
Crook	Hodges	Nettles	Windle
Dawkins	Huddleston	Nolen	Wood
deGraffenried	Hunt	Oden	

—91

And the bill:

H. 30. To provide for the appointment and tenure and fixing the compensation of Bailiffs for Circuit Courts of Alabama in Circuits composed of one County and having two Circuit Judges.

Was taken up.

Mr. Callahan offered the following amendment to the bill, H. 30:

AMENDMENT OF H. 30

Amend the bill by adding the following section:

This Act shall not apply in any county having a population of 135,000 or more, according to the last or any subsequent federal decennial census, nor to any county having a population less than 94,000, according to such census.

And the amendment was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Tallapoosa)	Payne
Adams	Edwards (Escambia)	Kaul	Perry
Albea	Edwards (Jefferson)	Kendall	Pirkle
Ashworth	Faulk	Killough	Pruitt
Bagley	Ferrell	Kirkham	Ramey
Bassett	Franklin	Lackey	Reynolds
Boyd	Gilchrist	Law	Richardson
Bradford	Gist	Lee (Barbour)	Roberts
Brannan	Goodwyn	Lee (Lawrence)	Selman
Branyon	Gregory	Locke (Choctaw)	Shumate
Brassell	Grouby	Love	Simon
Brewer	Hain	McClendon	Solomon
Broadfoot	Hall	McKay	Speaks
Brooks	Haltom	McLendon	Steagall
Brown (Lamar)	Hanby	Martin	Stembridge
Brown (Lee)	Hare	Meeks	Summerlin
Burkhalter	Harrison	Molette	Taylor
Callahan	Hawkins	Money	Tyson
Cox	Hodges	Murphy	Vacca
Crook	Huddleston	Nettles	Ward
Dawkins	Hunt	Nolen	Windle
deGraffenried	Jenkins	Oakley	Wood
DeSear	Johnson (Elmore)	Oden	

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And said bill, H. 30, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Boyd	Broadfoot	Cornett
Adams	Bradford	Brooks	Cox
Albea	Brannan	Brown (Lamar)	Crook
Ashworth	Branyon	Brown (Lee)	Dawkins
Bagley	Brassell	Burkhalter	deGraffenried
Bassett	Brewer	Callahan	Dement

DeSear	Harrison	Locke (Perry)	Roberts
Dickson	Harvey	Love	Selman
Edwards (Escambia)	Hawkins	McClendon	Shumate
Edwards (Jefferson)	Hodges	McKay	Simon
Faulk	Huddleston	McLendon	Solomon
Ferrell	Hunt	Martin	Speaks
Franklin	Jenkins	Meeks	Steagall
Gilchrist	Johnson (Elmore)	Molette	Stembridge
Gist	Johnson (Tallapoosa)	Money	Stokes
Goodwyn	Kaul	Murphy	Summerlin
Gregory	Kendall	Nettles	Taylor
Grouby	Killough	Nolen	Tyson
Hain	Kirkham	Perry	Vacca
Hall	Lackey	Pruitt	Ward
Haltom	Lee (Barbour)	Ramey	Windle
Hanby	Lee (Lawrence)	Reynolds	Wood
Hare	Locke (Choctaw)		

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RESOLUTION

The following resolution was introduced:

By Mr. Hawkins:

H.J.R. 21. BE IT RESOLVED by the House of Representatives, the Senate concurring, that when the two Houses adjourn today, they adjourn to meet again on Thursday, February 17, 1955, at 10 o'clock A.M., and when they adjourn on Thursday they adjourn to meet again on Friday, February 18, 1955, at 9 o'clock A.M.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 21 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Resolution:

S.J.R. 12. Relative to appointment a committee of the Legislature to make study and investigation relative to Toll Roads.

Said Governor's Message being in the following words and figures, to-wit:

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama.

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Joint Resolution 12, with a suggested Executive Amendment.

Respectfully submitted,
O. H. FINNEY, JR.,
Executive Secretary

February 15, 1955

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this Resolution originated. Senate Joint Resolution 12, with a suggested Executive Amendment, as follows:

Amend said Resolution by striking therefrom, the following words:

"That a committee to be composed of the President of the Senate and three members of the Senate to be appointed by the President of the Senate, and the Speaker of the House and three members of the House to be appointed by the Speaker of the House," and insert in lieu thereof, the following:

"That a committee to be composed of five members of the Senate one of which shall be designated as Chairman, to be appointed by the President of the Senate, and seven members from the House, one of which shall be designated as Vice-Chairman, to be appointed by the Speaker of the House."

The suggested executive amendment is made with the full knowledge and approval and at the request of the author of said Resolution, and if adopted will remove my objection to the Resolution.

Respectfully
(s) JAMES E. FOLSOM
JAMES E. FOLSOM
Governor.

And the Senate has concurred in and adopted the amendment proposed by the Governor to the Resolution, by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 33, Nays 0.

And said Resolution, as thus amended by the Executive amendment, was again read at length and concurred in and adopted by the Senate by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 33; Nays 0.

And said Resolution, S.J.R. 12, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the House for its consideration.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the resolution, S.J.R. 12, said Governor's amendment being set out in the above and foregoing Message from the Senate.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Brooks	Edwards ^(Escambia)	Hanby
Adams	Brown ^(Lee)	Edwards ^(Jefferson)	Hare
Albea	Brown ^(Lamar)	Faulk	Harrison
Ashworth	Burkhalter	Ferrell	Harvey
Bagley	Callahan	Franklin	Hawkins
Bassett	Cornett	Gilchrist	Hodges
Boyd	Cox	Gist	Huddleston
Bradford	Crook	Goodwyn	Hunt
Brannan	Dawkins	Gregory	Jenkins
Branyon	deGraffenried	Grouby	Johnson ^(Elmore)
Brassell	Dement	Hain	Johnson ^(Tallapoosa)
Brewer	DeSear	Hall	Kaul
Broadfoot	Dickson	Haltom	Kelly

Kendall	McKay	Oden	Solomon
Killough	McLendon	Payne	Steagall
Kirkham	Martin	Perry	Stembridge
Lackey	Meeks	Pirkle	Stokes
Law	Molette	Pruitt	Summerlin
Lee (Barbour)	Money	Ramey	Taylor
Lee (Lawrence)	Murphy	Reynolds	Tyson
Locke (Choctaw)	Nettles	Roberts	Vacca
Locke (Perry)	Nice	Selman	Ward
Love	Nolen	Shumate	Windle
McClendon	Oakley	Simon	Wood

—96

Which was a majority of the whole number elected to the House.

And said resolution, S.J.R. 12, as amended by the amendment proposed by His Excellency, the Governor, was concurred in and adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Tallapoosa)	Oden
Adams	Edwards (Escambia)	Kaul	Payne
Albea	Edwards (Jefferson)	Kelly	Perry
Ashworth	Faulk	Kendall	Pirkle
Bagley	Ferrell	Killough	Pruitt
Bassett	Franklin	Kirkham	Ramey
Boyd	Gilchrist	Lackey	Reynolds
Bradford	Gist	Law	Richardson
Brannan	Goodwyn	Lee (Lawrence)	Roberts
Branyon	Gregory	Locke (Choctaw)	Selman
Brassell	Grouby	Locke (Perry)	Shumate
Brewer	Hain	Love	Simon
Broadfoot	Hall	McClendon	Solomon
Brooks	Haltom	McKay	Speaks
Brown (Lamar)	Hanby	McLendon	Steagall
Brown (Lee)	Hare	Martin	Stembridge
Burkhalter	Harrison	Meeks	Stokes
Callahan	Harvey	Molette	Summerlin
Cornett	Hawkins	Money	Taylor
Cox	Hodges	Murphy	Tyson
Crook	Huddleston	Nettles	Vacca
Dawkins	Hunt	Nice	Ward
deGraffenried	Jenkins	Nolen	Windle
Dement	Johnson (Elmore)	Oakley	Wood
DeSear			

—97

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Givhan:

S.J.R. 23. Memorializing Congress to enact legislation limiting the appellate jurisdiction of the United States Supreme Court and the jurisdiction of other federal courts.

WHEREAS, federal courts and more particularly the United States Supreme Court have through numerous opinions and decisions invaded the fields of the legislative and executive branches of government; and,

WHEREAS, through numerous opinions and decisions federal courts and more particularly the United States Supreme Court have invaded the field of government which should be left to the control of the several states of the Union; and,

WHEREAS, Congress is authorized under the Constitution of the United States to control and limit the appellate jurisdiction of the United States Supreme Court and the jurisdiction of other federal courts, now, therefore,

BE IT RESOLVED by the Senate of Alabama, the House of Representatives Concurring:

That Congress be memorialized to enact legislation limiting the appellate jurisdiction of the United States Supreme Court and the jurisdiction of other federal courts so that the fields of government of the executive and legislative branches and that of the several states shall not be invaded, but shall remain separate and distinct.

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to the President of the United States, to each United States Senator from Alabama, each member of the House of Representatives of Congress from Alabama, the Senate of the United States and the House of Representatives of the United States.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Hain the rules were suspended and the House concurred in and adopted the S.J.R. 23 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H.J.R. 19. Authorizing the Board of Trustees of the University of Alabama to Designate the Building Used as the Birmingham University Center as the "Robert E. Tidwell Hall."

Also:

H.J.R. 18. Authorizing the Board of Trustees of the University of Alabama to Designate the Cooperative Dormitory for Women Students as the "Hayden—Harris House."

Also:

H.J.R. 20. Expressing Regret at the passing of Theodore Swann and Extending Sympathy to the Family.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 15. To make an appropriation out of the general funds of Tuscaloosa County, for the relief of Charlie Jones, an employee of Tuscaloosa County, who was injured while performing his duty.

Also:

H. 20. For the relief of William Thomas Smith and to make an appropriation out of the general fund of Tuscaloosa County, Alabama, for the relief of William Thomas Smith, an employee of Tuscaloosa County, who was injured while performing his duty.

Also:

H. 17. Relating to conservation, amending Section 14 of Act No. 784, H. 316, approved September 19, 1953 (1953 Acts, Vol. II, p. 1072), which regulates commercial fishing.

Also:

H. 35. Relating to counties with populations of not less than 29,350 nor more than 30,350 inhabitants: to provide a clerk for the tax collector and tax assessor of such counties, fixing the salaries of each of such clerks and the method of payment of such salaries out of the general funds of such **counties**.

J. E. SPEIGHT,
Secretary

BILLS ON THIRD READING RESUMED

H. 28. To provide for distribution of codes and code supplements, authorizing and directing the Secretary of State to supply certain legal-aid offices with codes and code supplements.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Dement	Hodges	Meeks
Adams	DeSear	Huddleston	Molette
Albea	Dickson	Hunt	Money
Ashworth	Edwards (Escambia)	Jenkins	Murphy
Bagley	Edwards (Jefferson)	Johnson (Elmore)	Nettles
Bassett	Faulk	Johnson (Tallapoosa)	Nice
Boyd	Ferrell	Kaul	Nolen
Bradford	Franklin	Kelly	Oakley
Brannan	Gilchrist	Kendall	Oden
Branyon	Gist	Killough	Payne
Brewer	Goodwyn	Lackey	Perry
Broadfoot	Gregory	Law	Pirkle
Brooks	Grouby	Lee (Barbour)	Pruitt
Brown (Lamar)	Hain	Lee (Lawrence)	Ramey
Burkhalter	Hall	Locke (Choctaw)	Reynolds
Callahan	Halton	Locke (Perry)	Richardson
Cornett	Hanby	Love	Roberts
Cox	Hare	McClendon	Selman
Crook	Harrison	McKay	Shumate
Dawkins	Harvey	McLendon	Simon
deGraffenried	Hawkins	Martin	Solomon

Speaks	Stokes	Tyson	Windle
Steagall	Summerlin	Vacca	Wood
Stembridge	Taylor	Ward	

—95

And the bill:

H. 40. To amend further Section 366 of Title 52, Code of Alabama (1940), which provides for retirement age and retirement benefits under the Teachers' Retirement System.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Edwards ^(Escambia)	Kaul	Oden
Adams	Edwards ^(Jefferson)	Kelly	Payne
Albea	Faulk	Kendall	Perry
Ashworth	Ferrell	Killough	Pruitt
Bagley	Franklin	Kirkham	Ramey
Bassett	Gilchrist	Lackey	Reynolds
Boyd	Gist	Law	Richardson
Bradford	Goodwyn	Lee ^(Barbour)	Roberts
Brannan	Gregory	Lee ^(Lawrence)	Selman
Branyon	Grouby	Locke ^(Choctaw)	Shumate
Brassell	Hain	Locke ^(Perry)	Simon
Brewer	Hall	Love	Solomon
Broadfoot	Haltom	McClendon	Speaks
Brown ^(Lamar)	Hanby	McKay	Steagall
Burkhalter	Hare	McLendon	Stembridge
Callahan	Harrison	Martin	Stokes
Cornett	Harvey	Meeks	Summerlin
Cox	Hawkins	Molette	Taylor
Crook	Hodges	Money	Tyson
Dawkins	Huddleston	Murphy	Vacca
deGraffenried	Hunt	Nettles	Ward
Dement	Jenkins	Nice	Windle
DeSear	Johnson ^(Elmore)	Nolen	Wood
Dickson	Johnson ^(Tallapoosa)	Oakley	

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And the bill:

S. 13. Relating to Lauderdale County: To abolish the Board of Revenue of Lauderdale County, created by Act No. 205, S.B. 243, approved July 21, 1953, and to restore and re-establish the Court of County Commissioners of Lauderdale County in lieu thereof; to provide for its organization, powers, jurisdiction, and duties; and to provide for the qualifications, manner of election, and compensation of its members.

Was taken up.

Mr. Broadfoot moved to recommit the bill, S. 13.

The motion of Mr. Haltom to lay on the table the motion of Mr. Broadfoot to recommit the bill, S. 13, was adopted.

Yeas 65; Nays 14.

Yeas:

Messrs:	Adams	Ashworth	Boyd
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Bradford	Franklin	Lee (Lawrence)	Pruitt
Brannan	Gilchrist	Locke (Choctaw)	Ramey
Branyon	Grouby	Locke (Perry)	Richardson
Brewer	Hain	McKay	Roberts
Brooks	Haltom	McLendon	Selman
Brown (Lee)	Hanby	Martin	Shumate
Callahan	Hare	Meeks	Simon
Cornett	Harrison	Molette	Steagall
Crook	Harvey	Money	Stembridge
Dawkins	Hawkins	Murphy	Summerlin
deGraffenried	Hodges	Nettles	Taylor
Dement	Kaul	Nice	Tyson
DeSear	Kendall	Nolen	Vacca
Dickson	Killough	Payne	Ward
Edwards (Jefferson)	Kirkham	Perry	Windle
Faulk	Lackey		

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Nays:

Messrs:	Brown (Lamar)	Gregory	Lee (Barbour)
Albea	Cox	Hall	McClendon
Bagley	Gist	Hunt	Stokes
Broadfoot	Goodwyn	Kelly	

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Mr. Broadfoot offered the following amendment to the bill, S. 13:

AMENDMENT OF S.B. NO. 13

Amend the effective date section of said bill to read as follows:

"The provisions of this Act shall become operative only if approved by a majority of the electors of Lauderdale County voting in a referendum to be held on the same day as the next general election in Lauderdale County after the passage of this Act. The sheriff of Lauderdale County shall give notice of said election at least thirty days prior to the holding thereof, and the governing body of said county shall provide for the holding of such referendum on such date. On the ballot to be used at the election the question shall be stated substantially as follows: 'Shall

the provisions of Act No. _____, S.B. 13, passed at the first special session of the Legislature in 1955, changing the form of government of Lauderdale County, be adopted? Yes () No ().' If a majority of the votes cast in the election are 'yes,' the provisions of this Act shall become operative immediately. If the majority are 'no,' this Act shall have no further effect."

On motion of Mr. Haltom the amendment offered by Mr. Broadfoot was laid upon the table.

Yeas 62; Nays 19.

Yeas:

Messrs:	Brown (Lee)	Dickson	Hall
Adams	Callahan	Edwards (Jefferson)	Haltom
Ashworth	Cornett	Faulk	Hare
Boyd	Cox	Ferrell	Harvey
Bradford	Crook	Franklin	Hodges
Brannan	deGraffenried	Gilchrist	Kaul
Branyon	Dement	Grouby	Killough
Brewer	DeSear	Hain	Kirkham

Lackey	Martin	Perry	Solomon
Lee (Lawrence)	Meeks	Pruitt	Steagall
Locke (Choctaw)	Molette	Ramey	Stembridge
Locke (Perry)	Murphy	Richardson	Taylor
Love	Nettles	Roberts	Tyson
McClendon	Nice	Selman	Vacca
McKay	Nolen	Shumate	Windle
McLendon	Payne	Simon	

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Nays:

Messrs:	Dawkins	Harrison	Kendall
Albea	Edwards (Escambia)	Hawkins	Lee (Barbour)
Bagley	Gist	Hunt	Oakley
Broadfoot	Goodwyn	Johnson (Elmore)	Oden
Brown (Lamar)	Hanby	Kelly	Stokes

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MOTION TO RECESS LOST

The motion of Mr. Kelly to adjourn until 3 o'clock this afternoon was lost.

MOTION FOR PREVIOUS QUESTION LOST

The motion of Mr. Nice for the previous question was lost.

And the bill:

S. 13. Relating to Lauderdale County: To abolish the Board of Revenue of Lauderdale County, created by Act No. 205, S.B. 243, approved July 21, 1953, and to restore and re-establish the Court of County Commissioners of Lauderdale County in lieu thereof; to provide for its organization, powers, jurisdiction, and duties; and to provide for the qualifications, manner of election, and compensation of its members.

Was read a third time at length and passed.

Yeas 56; Nays 0.

Yeas:

Messrs:	Dickson	Killough	Nolen
Adams	Edwards (Jefferson)	Lackey	Perry
Ashworth	Faulk	Lee (Lawrence)	Pirkle
Boyd	Gilchrist	Locke (Choctaw)	Pruitt
Bradford	Grouby	Locke (Perry)	Ramey
Brannan	Hain	Love	Richardson
Branyon	Hall	McClendon	Roberts
Brewer	Haltom	Martin	Selman
Brown (Lee)	Harrison	Meeks	Shumate
Callahan	Harvey	Molette	Simon
Cornett	Hodges	Money	Summerlin
Cox	Jenkins	Murphy	Taylor
deGraffenried	Kaul	Nettles	Tyson
Dement	Kendall	Nice	Vacca
DeSear			

—56

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended, as therein shown, and as amended has concurred in and adopted the following house joint resolution and returns same herewith to the house:

H.J.R. 21—relative to adjournment of the two houses until Thursday, February 17, 1955, at 10 o'clock A.M. to meet again Friday, February 18, 1955 at 9:00 A.M.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Hawkins the House non-concurred in the Senate amendment to the resolution, H.J.R. 21, said Senate amendment being as follows:

SUBSTITUTE FOR H.J.R. 21

BE IT RESOLVED by the House of Representatives, the Senate concurring that when the two Houses adjourn today, they adjourn to meet again on Friday, February 18, 1955 at 10:00 A.M.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions and House Bills, to-wit:

H.J.R. 18. Relative to authorizing the Board of Trustees of the University of Alabama to designate a cooperative dormitory for women as "Hayden-Harris House".

Also:

H.J.R. 19. Relative to authorizing the Board of Trustees of the University of Alabama to designate the building used as the Birmingham University Center as "Robert E. Tidwell Hall."

Also:

H.J.R. 20. Relative to expressing regret at the death of Theodore Swann, Engineer and Industrialist of Birmingham, Alabama, and extending sympathy to the surviving members of his family.

Also:

H. 15. To make an appropriation out of the general funds of Tuscaloosa County, for the relief of Charlie Jones, an employee of Tuscaloosa County, who was injured while performing his duty.

Also:

H. 17. Relating to conservation, amending Section 14 of Act No. 784, H. 316, approved September 19, 1953 (1953 Acts, Vol. II, p. 1072), which regulates commercial fishing.

Also:

H. 20. For the relief of William Thomas Smith and to make an appropriation out of the general fund of Tuscaloosa County, Alabama, for the relief of William Thomas Smith, an employee of Tuscaloosa County, who was injured while performing his duty.

Also:

H. 35. Relating to counties with populations of not less than 29,350 nor more than 30,350 inhabitants: to provide a clerk for the tax collector and tax assessor of such counties, fixing the salaries of each of such clerks and the method of payment of such salaries out of the general funds of such counties.

And finds same correctly enrolled.

RANKIN FITE,
Chairman

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Messrs. Stokes, Simon and Murphy:

H.R. 22. WHEREAS our distinguished colleague, the Honorable John M. Tyson of Mobile, has recently been graduated from the law school of the University and admitted to the Bar of this State,

WHEREAS this body takes notice of the outstanding scholastic record and educational attainments of this esteemed member, and wishes to take official notice of his achievements in due and ancient form; now therefore,

BE IT RESOLVED That the House of Representatives extends congratulations to our brother on the successful completion of his law course and expresses confidence that this will be one of many achievements in a long, illustrious and profitable career.

On motion of Mr. Stokes the rules were suspended and H. R. 22 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the bill:

S. 7. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

J. E. SPEIGHT
Secretary.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 12:20 P.M. On February 15, 1955.

H. 7.
H. 10.
H. 21.

Delivered to the Governor at 2:45 P.M. On February 15, 1955.

H.J.R. 18.
H.J.R. 19.
H.J.R. 20.
H. 15.
H. 17.
H. 20.
H. 35.

R. T. GOODWYN, JR.
Clerk

ADJOURNMENT

On motion of Mr. Hawkins the House adjourned until Thursday, February 17, 1955, at ten o'clock A.M.

EIGHTH DAY

House of Representatives
Montgomery, Alabama
Thursday, February 17, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend E. Tipton Carroll, Minister, Cloverdale Christian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	DeSear	Huddleston	Nice
Adams	Dickson	Hunt	Nolen
Albea	Edwards (Escambia)	Jenkins	Oden
Ashworth	Edwards (Jefferson)	Johnson (Elmore)	Perry
Bagley	Ferrell	Johnson (Tallapoosa)	Pirkle
Bassett	Franklin	Kaul	Ramey
Boyd	Gilchrist	Kelly	Reynolds
Bradford	Gist	Kendall	Richardson
Branyon	Goodwyn	Killough	Roberts
Brassell	Gregory	Lackey	Selman
Brewer	Grouby	Law	Shumate
Broadfoot	Hain	Lee (Barbour)	Simon
Brooks	Hall	Lee (Lawrence)	Speaks
Brown (Lamar)	Haltom	McClendon	Steagall
Burkhalter	Hanby	McKay	Stembridge
Cornett	Hardy	McLendon	Stokes
Cox	Hare	McNider	Taylor
Davis	Harrison	Martin	Tyson
Dawkins	Harvey	Meeks	Vacca
deGraffenried	Hodges	Money	Ward
Dement	Holliman	Nettles	Windle

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the seventh legislative day and finds the same to be correct.

RANKIN FITE,
Chairman

On motion of Mr. Dawkins, the reading at length of the Journal of the House for the seventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the seventh legislative day was approved.

RESOLUTION

The following resolution was introduced:

By Mr. Broadfoot:

H.R. 23. BE IT RESOLVED by the House that the Clerk be instructed to request the Senate to return to the House for further consideration Senate Bill 13, which passed the House on the last Legislative day.

H.R. 23 was read and referred to the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Dawkins, Vice-Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 41. To make an appropriation for the relief of Russell County.

BILLS ON THIRD READING

H. 43. (with amendment): To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefore in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Local Legislation No. 1 Committee amendment to H.B. 43.

Amend Section XVI of House Bill 43 by striking out at the end of said Section the figures "1965" and substituting in lieu thereof the figures "1959".

And the amendment was adopted.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	DeSear	Huddleston	Nice
Adams	Dickson	Hunt	Nolen
Albea	Edwards (Escambia)	Jenkins	Oden
Ashworth	Edwards (Jefferson)	Johnson (Elmore)	Perry
Bagley	Ferrell	Johnson (Tallapoosa)	Pirkle
Bassett	Franklin	Kaul	Ramey
Boyd	Gilchrist	Kelly	Reynolds
Bradford	Gist	Killough	Richardson
Branyon	Goodwyn	Lackey	Roberts
Brassell	Gregory	Law	Selman
Brewer	Grouby	Lee (Barbour)	Shumate
Broadfoot	Hain	McClendon	Simon
Brown (Lamar)	Hall	McKay	Steagall
Burkhalter	Haltom	McNider	Stembridge
Cornett	Hardy	Martin	Taylor
Davis	Hare	Meeks	Tyson
Dawkins	Harvey	Money	Vacca
deGraffenried	Hodges	Nettles	Windle

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And said Bill H. 43, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Dement	Hodges	Nettles
Adams	DeSear	Huddleston	Nolen
Albea	Edwards (Escambia)	Hunt	Oden
Ashworth	Edwards (Jefferson)	Jenkins	Perry
Bagley	Ferrell	Johnson (Elmore)	Pirkle
Bassett	Franklin	Johnson (Tallapoosa)	Ramey
Boyd	Gilchrist	Kaul	Reynolds
Bradford	Gist	Kelly	Roberts
Branyon	Goodwyn	Killough	Selman
Brassell	Gregory	Lackey	Shumate
Brewer	Grouby	Law	Simon
Brown (Lamar)	Hain	Lee (Barbour)	Steagall
Burkhalter	Hall	McClendon	Stembridge
Cornett	Haltom	McKay	Taylor
Cox	Hardy	McNider	Tyson
Davis	Hare	Martin	Vacca
Dawkins	Harrison	Meeks	Ward
deGraffenried	Harvey	Money	Windle

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And the bill:

H. 46. Relating to the town of Parrish in Walker County; repealing an Act approved June 18, 1953 (Act No. 102, H. 330, Acts of Alabama, 1953, p. 145), and an Act approved August 14, 1953 (Act No. 327, H. 603, Acts of Alabama, 1953, p. 384), both of which altered and extended the boundary lines and corporate limits of the town of Parrish in Walker County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Dement	Hodges	Nettles
Adams	DeSear	Huddleston	Oden
Albea	Dickson	Hunt	Perry
Ashworth	Edwards ^(Escambia)	Jenkins	Pirkle
Bagley	Edwards ^(Jefferson)	Johnson ^(Elmore)	Ramey
Bassett	Ferrell	Johnson ^(Tallapoosa)	Reynolds
Boyd	Franklin	Kaul	Richardson
Bradford	Gilchrist	Kelly	Selman
Branyon	Gist	Kendall	Shumate
Brassell	Goodwyn	Killough	Simon
Brewer	Gregory	Lackey	Speaks
Broadfoot	Grouby	Law	Steagall
Brown ^(Lamar)	Hain	Lee ^(Barbour)	Stembridge
Burkhalter	Hall	McClendon	Taylor
Cornett	Haltom	McKay	Tyson
Cox	Hardy	McNider	Vacca
Davis	Hare	Martin	Ward
Dawkins	Harrison	Meeks	Windle
deGraffenried	Harvey	Money	

—75

And the bill:

H. 47. Relating to Walker County; authorizing the circuit clerk to appoint an assistant; and providing for the compensation of the assistant.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	deGraffenried	Hodges	Nettles
Adams	Dement	Huddleston	Nolen
Albea	Dickson	Hunt	Oden
Ashworth	Edwards ^(Escambia)	Jenkins	Perry
Bagley	Edwards ^(Jefferson)	Johnson ^(Elmore)	Pirkle
Bassett	Ferrell	Johnson ^(Tallapoosa)	Ramey
Boyd	Franklin	Kaul	Reynolds
Bradford	Gilchrist	Kelly	Roberts
Branyon	Gist	Kendall	Selman
Brassell	Goodwyn	Killough	Shumate
Brewer	Gregory	Lackey	Simon
Broadfoot	Grouby	Law	Speaks
Brooks	Hain	Lee ^(Barbour)	Steagall
Brown ^(Lamar)	Hall	McClendon	Stembridge
Burkhalter	Haltom	McKay	Taylor
Cornett	Hardy	McNider	Tyson
Cox	Hare	Martin	Vacca
Davis	Harrison	Meeks	Ward
Dawkins	Harvey	Money	Windle

—76

And the bill:

H. 36. To provide further for the place of payment of privilege or license taxes due and payable under subsection (b) of Section 619, Title

51, Alabama Code 1940, as amended, when an additional indebtedness is incurred under a mortgage, deed of trust, contract of conditional sale, or other instrument of like character previously given to secure the payment of any debt and filed for record in any county of Alabama; to provide further for the terms and conditions of a bond required to be executed to secure such payment; and to give such provisions retroactive effect.

Was again taken up.

The motion of Mr. Johnson of Tallapoosa to lay on the table the motion of Mr. Selman to recommit the bill, H. 36, was lost.

And the motion of Mr. Selman to recommit the bill, H. 36, was lost.

Yeas 27; Nays 51.

Yeas:

Mr. Speaker	Dement	Kelly	Richardson
Ashworth	DeSear	McNider	Roberts
Branyon	Ferrell	Martin	Selman
Brown (Lamar)	Gilchrist	Money	Shumate
Cox	Goodwyn	Oden	Tyson
Davis	Gregory	Ramey	Windle
deGraffenried	Huddleston	Reynolds	

—27

Nays:

Messrs:	Dawkins	Harvey	McKay
Adams	Dickson	Hodges	Meeks
Albea	Edwards (Escambia)	Hunt	Nice
Bagley	Edwards (Jefferson)	Jenkins	Nolen
Bassett	Franklin	Johnson (Elmore)	Perry
Boyd	Gist	Johnson (Tallapoosa)	Pirkle
Bradford	Grouby	Kaul	Simon
Brassell	Hain	Kendall	Speaks
Brewer	Hall	Killough	Steagall
Broadfoot	Haltom	Lackey	Stembridge
Brooks	Hardy	Law	Stokes
Burkhalter	Hare	Lee (Barbour)	Vacca
Cornett	Harrison	McClendon	Ward

—51

Mr. Selman offered the following substitute for the bill, H. 36:

Substitute for H. 36.

**A BILL
TO BE ENTITLED
AN ACT**

To provide further for the place of payment of privilege or license taxes due and payable under subsection (b) of Section 619, Title 51, Alabama Code 1940, as amended, when an additional indebtedness is incurred under a mortgage, deed of trust, contract of conditional sale, or other instrument of like character previously given to secure the payment of any debt and filed for record in any county of Alabama; to provide further for the terms and conditions of a bond required to be executed to secure such payment.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any amount of privilege or license tax which becomes due and payable under the provisions of subsection (b) of Section 619,

Title 51, Code of Alabama, 1940, as amended, because of an additional indebtedness being incurred under a mortgage, deed of trust, contract of conditional sale, or other instrument of like character given to secure the payment of any debt, may be paid, at the election of the taxpayer, to the probate judge of any county wherein any of the property mentioned in said instrument is located, notwithstanding the condition of any bond requiring the tax to be paid to the probate judge of the county in which the instrument was first filed for record.

Section 2. Any bond, or any extension or renewal thereof, requiring the payment of any additional privilege or license tax which may become due and which the department of revenue shall require the owner of such instrument to execute at the time at which the instrument is first filed for record shall not be conditioned on the owner of such instrument reporting to any judge of probate any additional indebtedness incurred, either at the time such indebtedness is incurred or annually in September of each year; nor shall such bond or any extension or renewal thereof be conditioned upon the owner of such instrument paying or causing to be paid to the judge of probate of the county in which the instrument is first filed for record the additional privilege or license tax required under subsection (b) of Section 619, of Title 51, Code of Alabama, 1940, as amended; but such bond, or any extension or renewal thereof shall be conditioned on the owner paying or causing to be paid such privilege or license tax to the probate judge of any county wherein any of the property mentioned in said instrument is located. Such bond or any extension or renewal thereof shall, nonetheless, be conditioned on such reports being made by the owner of such instrument to the department of revenue as are required under subsection (b) of Section 619, Title 51, Code of Alabama, 1940, as amended.

Section 3. This act shall not apply to or be effective retroactively with respect to any mortgage, deed of trust, contract of conditional sale, or other instrument of like character which shall have been previously filed for record.

Section 4. All laws or parts of laws in conflict with any provision of this act are hereby repealed.

Section 5. This act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

On motion of Mr. Adams the substitute offered by Mr. Selman was laid upon the table.

Yeas 57; Nays 19.

Yeas:

Messrs:	deGraffenried	Hodges	Nettles
Adams	Dickson	Hunt	Nice
Albea	Edwards (Escambia)	Johnson (Tallapoosa)	Nolen
Ashworth	Edwards (Jefferson)	Kaul	Perry
Bagley	Ferrell	Kendall	Pirkle
Bassett	Franklin	Lackey	Reynolds
Boyd	Gist	Law	Simon
Eradford	Grouby	Lee (Barbour)	Speaks
Brassell	Hain	Lee (Lawrence)	Steagall
Brewer	Hall	McClendon	Stembridge
Broadfoot	Haltom	McKay	Stokes
Brooks	Hardy	McNider	Vacca
Burkhalter	Hare	Martin	Ward
Cornett	Harrison	Money	Windle
Dawkins	Harvey		

Nays:

Mr. Speaker	Dement	Jenkins	Richardson
Branyon	DeSear	Kelly	Selman
Brown (Lamar)	Gilchrist	Killough	Shumate
Cox	Goodwyn	Oden	Tyson
Davis	Gregory	Ramev	

—19

The motion of Mr. Richardson to indefinitely postpone the bill, H. 36, was lost.

Yeas 21; Nays 52.

Yeas:

Mr. Speaker	Dement	Jenkins	Ramey
Branyon	Gilchrist	Kelly	Richardson
Brown (Lamar)	Goodwyn	McNider	Selman
Cox	Gregory	Martin	Shumate
Davis	Huddleston	Oden	Windle
deGraffenried			

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Nays:

Messrs:	Dawkins	Hodges	Nettles
Adams	Dickson	Hunt	Nice
Albea	Edwards (Escambia)	Johnson (Elmore)	Nolen
Ashworth	Edwards (Jefferson)	Johnson (Tallapoosa)	Perry
Bagley	Franklin	Kaul	Pirkle
Bassett	Gist	Kendall	Reynolds
Boyd	Grouby	Killough	Simon
Bradford	Hain	Lackey	Speaks
Brassell	Hall	Law	Steagall
Brewer	Haltom	Lee (Barbour)	Stembridge
Broadfoot	Hardy	McClendon	Stokes
Brooks	Harrison	McKay	Vacca
Burkhalter	Harvey	Meeks	Ward
Cornett			

—52

The motion of Mr. Johnson of Tallapoosa to lay on the table the motion of Mr. Gilchrist to postpone further consideration of the bill, H. 36, to the next legislative day, was adopted.

Yeas 50; Nays 28.

Yeas:

Messrs:	Burkhalter	Haltom	Lee (Barbour)
Adams	Cornett	Hardy	Lee (Lawrence)
Albea	Cox	Harrison	McClendon
Bagley	Dawkins	Harvey	McKay
Bassett	Dickson	Hunt	Meeks
Boyd	Edwards (Escambia)	Johnson (Tallapoosa)	Nettles
Bradford	Edwards (Jefferson)	Kaul	Nolen
Brassell	Franklin	Kendall	Perry
Brewer	Grouby	Killough	Pirkle
Broadfoot	Hain	Lackey	Reynolds
Brooks	Hall	Law	Simon

Speaks Steagall	Stembridge Stokes	Taylor Vacca	Ward
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—50

Nays:

Mr. Speaker	DeSear	Huddleston	Ramey
Ashworth	Gilchrist	Jenkins	Richardson
Branyon	Gist	Kelly	Roberts
Brown (Lamar)	Goodwyn	McNider	Selman
Davis	Gregory	Martin	Shumate
deGraffenried	Hare	Money	Tyson
Dement	Hodges	Oden	Windle

—28

And said bill, H. 36, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 20.

Yeas:

Messrs:	Dement	Hodges	Money
Adams	Dickson	Hunt	Nettles
Albea	Edwards (Escambia)	Johnson (Elmore)	Nice
Ashworth	Edwards (Jefferson)	Johnson (Tallapoosa)	Nolen
Bagley	Ferrell	Kaul	Perry
Bassett	Franklin	Kendall	Pirkle
Boyd	Grouby	Killough	Reynolds
Bradford	Hain	Lackey	Simon
Brassell	Hall	Law	Speaks
Brewer	Haltom	Lee (Barbour)	Steagall
Broadfoot	Hardy	McClendon	Stembridge
Brooks	Hare	McKay	Stokes
Burkhalter	Harrison	McNider	Vacca
Cornett	Harvey	Meeks	Ward
Dawkins			

—56

Nays:

Mr. Speaker	deGraffenried	Kelly	Roberts
Branyon	DeSear	Martin	Selman
Brown (Lamar)	Gilchrist	Oden	Shumate
Cox	Goodwyn	Ramey	Tyson
Davis	Gregory	Richardson	Windle

—20

On motion of Mr. Adams, his motion to reconsider the vote by which the bill, H. 36, was passed, was laid upon the table.

And the bill:

S. 16. To amend Section 6 of Act No. 46, S. 154, approved June 2, 1949, an Act which authorizes the incorporation in any county of a public corporation for hospital purposes (1949 Acts 68).

Was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Dement	Hodges	Nice
Adams	DeSear	Huddleston	Nolen
Albea	Dickson	Hunt	Oden
Ashworth	Edwards (Escambia)	Jenkins	Perry
Bagley	Edwards (Jefferson)	Johnson (Elmore)	Pirkle
Bassett	Ferrell	Johnson (Tallapoosa)	Ramey
Boyd	Franklin	Kelly	Roberts
Bradford	Gilchrist	Kendall	Selman
Branyon	Gist	Killough	Shumate
Brassell	Goodwyn	Lackey	Simon
Broadfoot	Gregory	Lee (Barbour)	Speaks
Brooks	Grouby	Lee (Lawrence)	Steagall
Brown (Lamar)	Hain	McClendon	Stembridge
Burkhalter	Hall	McKay	Taylor
Cornett	Haltom	McNider	Tyson
Cox	Hardy	Martin	Vacca
Davis	Hare	Meeks	Ward
Dawkins	Harrison	Money	Windle
deGraffenried	Harvey	Nettles	

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COMMITTEE APPOINTED

In accordance with S.J.R. 12, the Speaker appointed Messrs. Brewer (Vice-Chairman), Steagall, Nettles, Money, Goodwyn, Murphy and Jenkins as a committee on the part of the House to investigate the feasibility and desirability of providing for the construction of toll roads.

**SUPREME COURT ADVISORY OPINION
OFFICE OF CLERK OF THE SUPREME COURT
STATE OF ALABAMA
MONTGOMERY**

J. Render Thomas
Clerk

February 16, 1955

Honorable Robert T. Goodwyn, Jr.
Clerk Alabama House of Representatives
Legislature of Alabama
State Capitol
Montgomery, Alabama

In re: Opinion of the Justices of the Supreme Court of Alabama in response and answer to House Resolution No. 16 concerning a constitutional question in connection with H.B. No. 38 now pending in the Legislature.

Dear Mr. Goodwyn:

I enclose herewith two copies of the Opinion of the Justices of the Supreme Court of Alabama rendered February 16, 1955, by said Justices of the Supreme Court of Alabama in response and answer to request of the House of Representatives by House Resolution No. 16, concerning an important constitutional question which has arisen in connection with H.B. No. 38, now pending in the Legislature.

Yours very truly,
J. Render Thomas
Clerk, Supreme Court of Alabama

JRT/1d
Encls: 2.

SUPREME COURT ADVISORY OPINION

Received, read and ordered filed.

ADJOURNMENT

On motion of Mr. Dawkins the House adjourned until Friday, February 18, 1955, at ten-thirty o'clock A.M.

NINTH DAY

House of Representatives
Montgomery, Alabama
Friday, February 18, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend J. H. Brown, Pastor, Highland Gardens Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Dickson	Johnson (Elmore)	Nolen
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Oakley
Albea	Edwards (Jefferson)	Kaul	Oden
Ashworth	Faulk	Kelly	Payne
Bagley	Ferrell	Kendall	Pirkle
Bassett	Franklin	Killough	Pruitt
Boyd	Gilchrist	Kirkham	Ramey
Branyon	Gist	Lackey	Richardson
Brassell	Goodwyn	Law	Roberts
Brewer	Gregory	Lee (Barbour)	Selman
Broadfoot	Grouby	Lee (Lawrence)	Shumate
Brooks	Hain	Locke (Choctaw)	Simon
Brown (Lamar)	Hall	Locke (Perry)	Solomon
Brown (Lee)	Haltom	Love	Speaks
Burkhalter	Hanby	McClendon	Steagall
Callahan	Hardy	McKay	Stembridge
Cornett	Hare	McLendon	Summerlin
Cox	Harrison	Martin	Taylor
Crook	Harvey	Mathews	Thomas
Davis	Hodges	Meeks	Tyson
Dawkins	Holliman	Molette	Vacca
deGraffenried	Huddleston	Money	Ward
Dement	Hunt	Nettles	Windle
DeSear	Jenkins	Nice	Wood

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eighth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman

On motion of Mr. Dawkins, the reading at length of the Journal of the House for the eighth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the eighth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S.J.R. 12. Relative to the appointment of a Committee to be composed of members from both Houses of the Legislature to make a full and complete investigation of toll road construction and report their findings.

Also relative to provision for expenses and compensation of members of Committee.

Also:

S.J.R. 23. Relative to memorializing Congress to enact legislation limiting the appellate jurisdiction of the U. S. Supreme Court and other federal courts so that the executive and legislative branches of the government and that of the several states shall not be invaded, but shall remain separate and distinct.

J. E. SPEIGHT,
Secretary

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate bills, your signature thereto is requested:

S. 7. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Also:

S. 13. Relating to Lauderdale County: To abolish the Board of Revenue of Lauderdale County, created by Act No. 205, S.B. 243, approved July 21, 1953, and to restore and re-establish the Court of County Commissioners of Lauderdale County in lieu thereof; to provide for its organization, powers, jurisdiction, and duties; and to provide for the qualifications, manner of election, and compensation of its members.

Also:

S. 14. Relating to the Twenty-Second Judicial Circuit, which is composed of Covington and Geneva Counties, fixing the salary of the

Official Court Reporter of such circuit and providing for the payment thereof:

J. E. SPEIGHT,
Secretary

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Stembridge:

H.J.R. 24. BE IT RESOLVED by the House of Representatives, the Senate Concurring, that Senate Bill 16 be named the Flowers-Stembridge bill.

On motion of Mr. Stembridge the rules were suspended and H.J.R. 24 was adopted.

Also:

By Messrs. Gist and Speaks:

H.R. 25. RESOLVED by the House of Representatives, that the members of this body deplore, denounce, and condemn the scandalous attack made on the distinguished Speaker of the House in the Birmingham Post-Herald on February 17, 1955.

We hereby record our approval of the manner in which the Speaker has presided over the deliberations of this body; and we express our complete confidence in the Speaker's ability and desire to make his ruling fairly, impartially, and with due regard for the public interest.

The motion of Mr. Gist to suspend the rules in order to bring up for immediate consideration the above and foregoing H.R. 25 was adopted.

Yeas 81; Nays 0.

Yeas:

Messrs:	Davis	Harvey	McLendon
Adams	Dawkins	Hodges	Martin
Albea	deGraffenried	Holliman	Mathews
Ashworth	Dement	Huddleston	Molette
Bagley	DeSear	Hunt	Money
Bassett	Dickson	Jenkins	Nettles
Boyd	Edwards (Escambia)	Johnson (Elmore)	Nolen
Branyon	Ferrell	Johnson (Tallapoosa)	Oden
Brassell	Franklin	Kendall	Payne
Brewer	Gilchrist	Killough	Pruitt
Broadfoot	Gist	Kirkham	Ramey
Brooks	Gregory	Law	Richardson
Brown (Lamar)	Grouby	Lee (Barbour)	Roberts
Brown (Lee)	Hain	Lee (Lawrence)	Selman
Burkhalter	Hall	Locke (Choctaw)	Shumate
Callahan	Haltom	Locke (Perry)	Simon
Cornett	Hare	Love	Solomon
Cox	Hardy	McClendon	Speaks
Crook	Harrison	McKay	Steagall

Stembridge
Taylor

Thomas
Tyson

Ward

Windle

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And the resolution H.R. 25 was adopted.

Yeas 77; Nays 0.

Yeas:

Messrs:	Dawkins	Hunt	Nettles
Adams	deGraffenried	Jenkins	Nice
Albea	Dement	Johnson ^(Elmore)	Oden
Ashworth	Dickson	Johnson ^(Tallapoosa)	Payne
Bagley	Edwards ^(Escambia)	Kendall	Ramey
Bassett	Ferrell	Killough	Richardson
Boyd	Franklin	Kirkham	Roberts
Branyon	Gilchrist	Law	Selman
Brassell	Gist	Lee ^(Barbour)	Shumate
Brewer	Gregory	Lee ^(Lawrence)	Simon
Broadfoot	Grouby	Locke ^(Choctaw)	Solomon
Brooks	Hain	Locke ^(Perry)	Speaks
Brown ^(Lamar)	Hall	Love	Steagall
Brown ^(Lee)	Halton	McClendon	Stembridge
Burkhalter	Hare	McKay	Taylor
Callahan	Harrison	McLendon	Thomas
Cornett	Harvey	Martin	Tyson
Cox	Hodges	Mathews	Ward
Crook	Holliman	Money	Windle
Davis	Huddleston		

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Also:

By Messrs. deGraffenried and Callahan:

H.J.R. 26. BE IT RESOLVED by the House of Representatives, the Senate concurring, that House Bill No. 17 (which repeals the 20 Hook Law) having been passed by both Houses, be named the Callahan, deGraffenried, Skidmore, Martin, Ramey, Richardson, Jenkins, Ashworth, Speaks, Gist, Harvey, Money, Ferrell, Johnson (Elmore), McClendon, Hunt, Law, McKay, Payne, Steagall, Gregory, Johnson (Tallapoosa), Adams, Locke (Choctaw), Locke (Perry), Edwards (Escambia), Shumate, Selman, Hare, Albea, DeSear, Branyon, Burkhalter, Bagley, Oden, Lackey, Edwards (Jefferson), Pruitt, Fite, Nolen, Boyd, Nettles, Bassett, Holliman, Dickson, Killough, Taylor, Windle, Pirkle, Harrison, Hodges, Cox, Mathews, Ward, Grouby, Cornett, Franklin, Meeks bill.

On motion of Mr. Callahan the rules were suspended and H.J.R. 26 was adopted.

Also:

By Mr. Summerlin:

H.J.R. 27. RESOLVED by the House of Representatives, the Senate Concurring, That the Legislature of Alabama notes with profound regret the passing of Honorable James Oscar Sentell, distinguished legislator and citizen of Crenshaw County one of the last surviving delegates to the 1901 Constitutional Convention, and extends sympathy to the surviving members of his family.

RESOLVED FURTHER, that the Clerk of the House be directed to

send a copy of this resolution to the family of Mr. Sentell, and the newspaper published in his home county.

On motion of Mr. Summerlin the rules were suspended and H.J.R. 27 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

In accordance with the provisions of Senate Joint Resolution No. 12, the President and Presiding Officer of the Senate has appointed Messrs. Flowers (Chairman), Calvin, Newton, Jones and Roberts as Committee on part of the Senate relative to investigating the feasibility of constructing toll roads.

J. E. SPEIGHT,
Secretary

RESOLUTION

The following resolution was introduced:

By Messrs. Harvey, Pruitt, Locke (Perry), Nolen, Richardson, DeSear, Speaks, Harrison, Callahan, deGraffenried, Locke (Choctaw), Hardy, Ashworth and Summerlin:

H.J.R. 28. WHEREAS the Honorable Peterson B. Jarman, better known to his many friends in Alabama as "Pete" Jarman, died in the city of Washington on February 17, 1955, and

WHEREAS he devoted his whole life to the service of his fellowmen, standing ever ready to answer a call to duty, whether humanitarian, civil or military;

WHEREAS as an officer in the United States Army during World War I, as Secretary of State of Alabama, as Representative in the United States Congress from Alabama's Sixth Congressional District, as Ambassador from this country to Australia and in many other capacities he has served honorably and his service has redounded to Alabama's credit;

NOW THEREFORE BE IT RESOLVED by the House of Representatives, the Senate Concurring, that the Legislature of Alabama hereby expresses its deep sorrow at the loss of this distinguished citizen, takes this opportunity to acknowledge with grateful appreciation Pete Jarman's service to his State and Country and to extend its sympathy to Mrs. Jarman and the other members of his family.

BE IT FURTHER RESOLVED that a page in the Journal of this House be dedicated to the memory of Pete Jarman, and that a copy of this resolution be transmitted by the clerk of the House to Mrs. Jarman and to the Press.

On motion of Mr. Pruitt the rules were suspended and H.J.R. 28 was adopted.

BILLS ON THIRD READING

H. 41. To make an appropriation for the relief of Russell County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker
Adams

Albea
Ashworth

Bagley
Bassett

Boyd
Branyon

Brasseil	Franklin	Killough	Oden
Brewer	Gilchrist	Kirkham	Payne
Broadfoot	Gist	Lackey	Pirkle
Brooks	Gregory	Law	Pruitt
Brown (Lamar)	Grouby	Lee (Barbour)	Ramey
Brown (Lee)	Hall	Lee (Lawrence)	Richardson
Burkhalter	Haltom	Locke (Choctaw)	Selman
Callahan	Hanby	Locke (Perry)	Shumate
Cornett	Hardy	Love	Simon
Cox	Hare	McClendon	Solomon
Crook	Harrison	McKay	Speaks
Davis	Harvey	McLendon	Steagall
Dawkins	Hodges	Martin	Stembridge
deGraffenried	Holliman	Mathews	Taylor
Dement	Huddleston	Meeks	Thomas
DeSear	Hunt	Money	Tyson
Edwards (Escambia)	Jenkins	Nettles	Vacca
Edwards (Jefferson)	Johnson (Elmore)	Nolen	Ward
Faulk	Johnson (Tallapoosa)	Oakley	Windle
Ferrell	Kendall		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 24. Naming Senate Bill 16.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 32. Relating to the authority of the Circuit Solicitor of the Sixth Judicial Circuit.

Also:

H. 37. To apply in, but only in counties having a population of not less than 94,000 nor more than 134,000, according to the last or any subsequent federal decennial census; to provide for the attendance of polio victims at the nearest public school without the payment of certain special fees.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Lamberth:

S.J.R. 25. Resolved by the Senate, the House concurring, that when

the two Houses adjourn today, they adjourn to meet again on Wednesday, February 23rd, 1955.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Dawkins the rules were suspended and the House concurred in and adopted the S.J.R.. 25 set out in the above and foregoing Message from the Senate.

ADJOURNMENT

On motion of Mr. Dawkins the House adjourned until Wednesday, February 23, 1955, at one o'clock P.M.

TENTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, February 23, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Herbert E. Wallner, Pastor, Epiphany Lutheran Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Dickson	Johnson (Tallapoosa)	Oden
Adams	Edwards (Escambia)	Kaul	Payne
Albea	Edwards (Jefferson)	Kelly	Perry
Ashworth	Faulk	Kendall	Pirkle
Bagley	Ferrell	Killough	Pruitt
Bassett	Franklin	Kirkham	Ramey
Boyd	Gilchrist	Lackey	Reynolds
Bradford	Gist	Law	Richardson
Brannan	Goodwyn	Lee (Barbour)	Roberts
Branyon	Gregory	Lee (Lawrence)	Selman
Brassell	Grouby	Locke (Choctaw)	Shumate
Brewer	Hain	Love	Simon
Broadfoot	Hall	McClendon	Solomon
Brooks	Haltom	McKay	Speaks
Brown (Lamar)	Hanby	McLendon	Steagall
Brown (Lee)	Hardy	McNider	Stembridge
Burkhalter	Hare	Martin	Stokes
Callahan	Harrison	Mathews	Summerlin
Cornett	Harvey	Meeks	Taylor
Cox	Hawkins	Money	Thomas
Crook	Hodges	Murphy	Tyson
Davis	Holliman	Nettles	Vacca
Dawkins	Huddleston	Nice	Ward
deGraffenried	Hunt	Nolen	Windle
Dement	Jenkins	Oakley	Wood
DeSear	Johnson (Elmore)		

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Ninth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the Ninth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Ninth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 16. To amend Section 6 of Act No. 46, S. 154, approved June 2, 1949, an Act which authorizes the incorporation in any county of a public corporation for hospital purposes (1949 Acts 68).

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution and House Bills, to-wit:

H.J.R. 24. Relative to naming Senate Bill 16.

Also:

H. 32. Relating to the authority of the Circuit Solicitor of the Sixth Judicial Circuit.

Also:

H. 37. To apply in, but only in counties having a population of not less than 94,000 nor more than 134,000, according to the last or any subsequent federal decennial census; to provide for the attendance of polio victims at the nearest public school without the payment of certain special fees.

And finds same correctly enrolled.

RANKIN FITE,
Chairman

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately

after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H.J.R. 28. Expressing sympathy to the family of Honorable Pete Jarman.

Also:

H.J.R. 26. Naming House Bill 17.

Also:

H.J.R. 27. Expressing sympathy to the family of Honorable James Oscar Sentell.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 28. To provide for distribution of codes and code supplements, authorizing and directing the Secretary of State to supply certain legal-aid offices with codes and code supplements.

Also:

H. 40. To amend further Section 366 of Title 52, Code of Alabama (1940), which provides for retirement age and retirement benefits under the Teachers' Retirement System.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Allen:

S. 17. To supplement the salary of the judge of the Thirtieth Judicial Circuit, providing that certain payments shall be made by the counties composing the circuit.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and fore-

going Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 17. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Boutwell:

S.J.R. 27. Resolved by the Senate, the House of Representatives concurring, That the published report of the Committee appointed pursuant to Act No. 894, S.J.R. 49, approved September 21, 1953, to prepare legislation relating to segregation of the races in the public schools, be, and is hereby accepted and ordered to be filed with the papers and documents of the Legislature.

RESOLVED FURTHER, that said Committee be, and is hereby discharged.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Meeks the rules were suspended and the House concurred in and adopted the S.J.R. 27 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed to notify you that the Senate has elected the following as Senate members on the Legislative Committee on Examiners of Accounts: Messrs. Boutwell, Metcalf, Newton and Cantrell.

J. E. SPEIGHT,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Bagley:

H.J.R. 29. BE IT RESOLVED by the House of Representatives, the Senate concurring, that House Bill No. 4 be known and designated as "The Bagley and Albea Bill."

On motion of Mr. Bagley the rules were suspended and H.J.R. 29 was adopted.

Also:

By Messrs. Callahan, deGraffenried, Ashworth, Pruitt, DeSear, Harrison, Branyon, Ramey, Richardson, Harvey, Windle, Martin, Speaks and Dement:

H.J.R. 30. BE IT RESOLVED by the House of Representatives, the Senate Concurring:

WHEREAS, it has been brought to the attention of the Legislature of Alabama that there is now a movement on the part of the United

States Veterans Administration to move all of the women patients from the United States Veterans Hospital at Tuscaloosa, Alabama, to a recently constructed hospital at Salisbury, North Carolina, together with employed attending personnel for said patients, and;

WHEREAS, all of said patients are mental patients, and, the Veterans Hospital at Tuscaloosa, Alabama, is primarily and essentially, a mental institution, and there is capable and experienced psychiatric treatment now available at said Veterans Hospital at Tuscaloosa, Alabama, and, experienced and capable doctors, making a specialty of mental diseases, are now located at said hospital, and;

WHEREAS, there are ample beds, facilities and rooms now available at said hospital, and;

WHEREAS, the great majority of said mental patients are from homes located in deep southern areas, in reasonably close proximity to said hospital, where said patients can be visited by their relatives and loved ones, and;

WHEREAS, the great majority of the attending personnel to said patients either reside in Tuscaloosa or surrounding counties, and;

WHEREAS, the new hospital at Salisbury, North Carolina, is a newly constructed hospital and does not have the trained and experienced personnel to treat and deal with said patients, and does not have available, at the present time, a sufficient number of trained and experienced doctors and psychiatrists to satisfactorily treat said mental patients, and will take a considerable period of time to obtain same, and;

WHEREAS, it will be disrupting and of bad effect on the mental condition of said patients to move them to a strange and distant locality away from their relatives and friends and will necessitate the travelling of many hundreds of miles, for said friends and relatives to visit them in North Carolina, and;

WHEREAS, it will necessitate the moving of a large attending personnel away from their homes and loved ones in Tuscaloosa, Alabama, to a distant locality and will mean that many of them will have to sell their homes and disrupt their families, and will mean that many of them will decline to go to North Carolina, and their experienced services will be lost to the mental patients, and;

WHEREAS, we do not find that one sound reason has been advanced for the moving of said mental patients to said hospital at Salisbury, North Carolina.

NOW, THEREFORE, BE IT RESOLVED; That the Legislature of the State of Alabama hereby memorializes the members of the Alabama Delegation in Congress, both House and Senate, to strongly urge and recommend to the United States Veterans Administration that said movement, to move said women patients from Tuscaloosa, Alabama, to Salisbury, North Carolina, be stopped forthwith, and that said patients be permitted to remain at the Veterans Hospital at Tuscaloosa, Alabama, where they are at present being well cared for and attended.

BE IT FURTHER RESOLVED that a copy of this Resolution be mailed to each of the United States Senators from Alabama and each Representative in Congress from Alabama.

On motion of Mr. deGraffenried the rules were suspended and H.J.R. 30 was adopted.

H. 19 POSTPONED

On motion of Mr. Selman the bill, H. 19, was indefinitely postponed.

RECESS

On motion of Mr. Hawkins the House recessed until 2:30 o'clock this afternoon.

The hour of 2:30 o'clock P.M. having arrived, the House reconven

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1. To amend Sections 647, 655, 656 and 657 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to increase the rate of the State Gasoline Excise Tax to eight cents per gallon and so as to make further provisions respecting the distribution of said tax.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Hawkins the House concurred in and adopted the Senate amendment to the bill, H. 1, said Senate amendment being as follows:

Substitute for H.B. 1.

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 647, 655, 656 and 657 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to increase the rate of the State Gasoline Excise Tax to seven cents per gallon and so as to make further provisions respecting the distribution of said tax.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 647 of Title 51 of the Code of Alabama of 1940, as heretofore amended, shall be and hereby is amended so as to read as follows:

"Section 647. (a) Every distributor, refiner, retail dealer, storer, or user of gasoline shall collect and pay over to the State Department of Revenue an excise tax of seven cents per gallon upon the selling, use or consumption, distributing, storing or withdrawal from storage in this state for any use, gasoline as defined or otherwise referred to in Article 5 of Title 51, Code of Alabama 1940, and as amended; provided, that where the excise tax of seven cents per gallon upon the sale, use or consumption, distribution, storage, withdrawal from storage in this state of such gasoline shall have been paid to the state by a distributor, refiner, or by any retail dealer, storer, or user, such payments shall be sufficient, the intent being that the tax shall be paid to the state but once. (b) The State Department of Revenue is hereby authorized to issue to the United States certificates of exemption, upon forms prescribed by the department for use by the United States in purchasing gasoline within the State of Alabama and which is paid for by the United States. Any person in reporting and paying the tax to the department may deduct the number of gallons of gasoline sold to the United States, as shown by such certificate of exemption duly executed by the United States and filed with such report; and the department is authorized to adopt rules and regulations with respect to the issuance and use

of such certificates. (c) The revenue, less the cost of collection, obtained from the taxes on gasoline, naphtha, and other liquid motor fuels, or any device or substitute therefore, commonly used in internal combustion engines, as is provided for in this section, shall not be used for any purposes other than the following, namely: (1) The revenue arising from the sale of gasoline, as herein defined for aviation fuel, shall be used exclusively for the purpose of paying the cost of acquiring, engineering, construction, improvement and maintenance of existing or proposed airports and other air navigation facilities within the state, for the payment of the salary of the State Director of Aeronautics, the salaries of other employees of the Alabama Department of Aeronautics, and for the payment of other administrative and aeronautical expenses of the Alabama Department of Aeronautics and for the further purpose of creating a sinking fund for the payment of the interest and retirement of the principal of all bonds which may be hereafter lawfully issued, sold and delivered for funds to be used exclusively for the enumerated purposes. All gasoline or any substitute therefor, sold or delivered to any airport within the state for use as fuel to propel airplanes, is hereby classified as aviation fuel. (2) The revenue arising from the sale of gasoline, as herein defined, for all other purposes shall not be used for any purpose other than for the construction, improvement, maintenance and supervision of highways, bridges, and streets, including the retirement of bonds for the payment of which such revenues have been or may hereafter be pledged. The payment of the per diem and mileage of members of county governing bodies when engaged in supervising the construction, improvement and maintenance of highways, bridges and streets, shall be construed as used in supervision. However, the governing body of each county is authorized to expend an amount not to exceed one-third of the total amount of such revenue that may be received by such county in the payment of any debt that may have been incurred by such county for the construction or maintenance of roads or bridges. This fund shall be allocated in the manner now provided by law. On the 20th day of each month following that quarter of any fiscal year, all revenue derived from the sale of gasoline purchased and used for aviation fuel, less the cost of collection, shall be allocated to the State Department of Aeronautics, or to the Alabama Aviation Commission, as the case may be, and the counties and municipalities which own or operate public airports where aviation gasoline is sold or delivered in the following manner, namely: Of the first twelve thousand five hundred dollars (\$12,500) of such tax collected in any county in the quarter-fiscal year, the county and municipalities therein owning or operating public airports, or public airports where aviation gasoline is sold or delivered, shall receive twenty-five per centum (25%) thereof to be allocated to each unit of government owning or operating any such airport, whether it be the sole or joint owner thereof, in the proportion that the number of gallons of aviation gasoline sold or delivered at each of such airports bears to the number of gallons of aviation gasoline sold or delivered in the county; of the second twelve thousand five hundred dollars (\$12,500) of such tax collected in any county in the quarter-fiscal year, the county and the municipalities therein owning or operating a public airport, or public airports, where aviation gasoline is sold or delivered, shall receive fifteen per centum (15%) thereof to be allocated to each unit of government owning or operating any such public airport, whether it be the sole or joint owner thereof, in the proportion that the number of gallons of aviation gasoline sold or delivered at each of such airports bears to the number of gallons of aviation gasoline sold or delivered in the county; of the third twelve thousand five hundred dollars (\$12,500) or over of such tax collected in any county in the quarter-fiscal year, the county and the municipalities therein owning or operating a public airport, or public airports, where aviation gasoline is sold or delivered, shall receive five per centum (5%) thereof to be allocated to each unit of government owning

or operating any such public airport, whether it be the sole or joint owner thereof, in the proportion that the number of gallons of aviation gasoline sold or delivered at each of such airports bears to the number of gallons of aviation gasoline sold or delivered in the county. Provided, however, if any public airport or airports is owned or operated by any unit or units of government outside of any county where such public airport or airports may be situated, such unit or units of government shall receive its pro rata share of the funds allocated in the proportion hereinabove stated. The remainder shall be paid to the State Department of Aeronautics, or to the Alabama Aviation Commission as the case may be. (d) Every distributor, refiner, retail dealer, or storer of gasoline shall add the amount of the excise tax levied and assessed herein to the price of the gasoline, it being the purpose and intent of this provision that the tax levied is in fact a levy on the consumer or user with the distributor, refiner, retail dealer, or storer, or in the case of a licensed user, acting merely as an agent of the state for the collection and payment of the tax to the state."

Section 2. Section 655 of said Title 51 shall be and hereby is amended so as to read as follows:

"Section 655 — Two-sevenths of the proceeds of the excise tax herein imposed, less cost of collecting and administering this article, shall be paid into the treasury to the credit of the sixty-seven counties in the state, and shall be divided and distributed equally among the sixty-seven counties of this state, payment to be made by state warrant to be mailed to the treasurer of such counties or depositories of such counties, on or before the tenth day of each month following collection. The use or expenditure of any said funds in any other manner or for any other purpose than as provided herein, by the governing body of any county or any individual member of said body, shall constitute a misdemeanor punishable by fine of not less than one hundred dollars nor more than one thousand dollars, and by imprisonment in the county jail or at hard labor for the county for not less than one nor more than twelve months. The highway department shall have the right to inspect the work upon which such funds are expended, and if in the judgement of the highway department, it appears that such funds are not being expended profitably or correctly, the highway department shall report the matter to the comptroller, or other officer required to examine the records of county officials. The department of finance, or other officer required to examine the records of county officials, is hereby especially charged with the duty of examining into and determining each year whether or not such funds have been used or expended as herein provided. Whenever such officer discovers a violation of any provision of this section, he shall forthwith report same to the attorney general whose duty it shall be to direct the prosecution of said offense."

Section 3. Section 656 of said Title 51, as heretofore amended, shall be and hereby is amended so as to read as follows:

"Section 656 — Three-sevenths of the proceeds of the excise tax herein imposed, when collected, shall be covered into the Treasury to the credit of the public road and bridge fund. (a) Two-thirds of the said three-sevenths covered into the treasury to the credit of the public road and bridge fund under the provisions of this section (being two-sevenths of the proceeds of the entire excise tax herein imposed) shall be disbursed for the following purposes and in the order hereinafter set out:

(1) So much thereof as shall be necessary for such purpose shall be used to pay the principal of and interest on the public road and bridge bonds issued in accordance with the provisions of an amendment to the state constitution known as Article XXA approved by the voters of Alabama at an election held on April 12, 1927, authorizing the issuance

of bonds in the aggregate amounting to \$25,000,000, as said principal and interest shall respectively mature; (2) so much thereof thereafter remaining as may be necessary for such purpose shall be used to pay the principal of and interest on the bonds heretofore issued in accordance with the provisions of an amendment to the state constitution approved by the voters of Alabama at an election held on November 5, 1940, authorizing the issuance of bonds in the aggregate amounting to not exceeding \$900,000, as the said principal and interest shall respectively mature; (3) so much thereof thereafter remaining as shall be necessary for such purpose shall be used to pay the principal of and interest on bonds heretofore issued in accordance with the provisions of the amendment to the constitution of Alabama proposed by Act No. 82 adopted by the 1951 Regular Session of the Legislature of Alabama (known as Amendment LXXXVII), authorizing the issuance of bonds in an aggregate principal amount not exceeding \$25,000,000, as the principal of said bonds and interest thereon shall respectively mature; and (4) so much thereof thereafter remaining as shall be necessary for such purpose shall be used to pay the principal of and interest on bonds hereafter issued by the public corporation to be known as Alabama Highway Authority, organization of which is provided for by act of the Extraordinary Session of the Legislature of Alabama that convened on January 25, 1955. (b) Two-ninths of said three-sevenths covered into the treasury to the credit of the public road and bridge fund under the provisions of this section (being two-twenty-firsts of the proceeds of the entire excise tax herein imposed) shall be disbursed as follows: So much thereof as shall be necessary for such purpose shall be used to pay the principal of and interest on bonds hereafter issued by said Alabama Highway Authority. (c) One-ninth of said three-sevenths covered into the treasury to the credit of the public road and bridge fund under the provisions of this section (being one-twenty-first of the proceeds of the entire excise tax herein imposed), together with any residue of the tax proceeds referred to in subsections (a) and (b) of this section remaining after provisions shall have been made for the primary obligations referred to in said subsections (a) and (b), may be used by the highway department, with the approval of the Governor, in constructing public roads and bridges within the state as now or may hereafter be provided by law, and in maintaining the public roads and bridges which have been or may hereafter be constructed by the highway department, in equipping and preparing convicts for use upon the public roads and bridges of this state, for maintenance of such convicts while so at work upon such roads and bridges, for compensating the state for the use of such convicts, and for such other use upon the public roads and bridges of this state as may be authorized by the highway department with the approval of the Governor. Provided, however, that the moneys referred to in this subsection (c) shall not be expended contrary to law as it now exists or may be hereafter enacted."

Section 4. Section 657 of said Title 51, as heretofore amended, shall be and hereby is amended so as to read as follows:

"Section 657.—Two-sevenths of the proceeds of the excise tax herein imposed shall be divided monthly as collected, less the cost of collection, as follows: One-half of said two-sevenths shall be paid into the treasury to the credit of the highway department for the public road and bridge fund and shall be disbursed for the following purposes and in the order hereinafter set out: (a) so much of said one-half as shall be necessary for such purpose shall be used to pay the principal of and interest on any bonds or other securities which may be hereafter issued by Alabama Highway Finance Corporation, and which may be outstanding at the time of such monthly division, as said principal and interest shall respectively mature; and (b) the residue

of said one-half thereafter remaining shall be used by the highway department for any purpose for which the public road and bridge fund may be legally used. The other one-half of said two sevenths shall be divided equally among the sixty-seven counties of the State of Alabama monthly as collected, less the cost of collection, payment to be made to the county treasurer or depository of such counties on or before the tenth day of each month of the year, and said funds shall be used by the several counties of the state exclusively for the construction, maintenance, supervision and policing of the public roads and bridges in the respective counties; provided, however, that the board of revenue or other such governing body of a county may direct the state department of revenue to pay over to the highway department such part of said funds as may be agreed upon by the board of revenue or such other governing body of any county and the Governor of the State of Alabama, which said funds are to be used in the construction and maintenance of roads in said county, to be agreed upon by the board of revenue of such county or such other governing body, and the Governor of the State of Alabama. Notwithstanding anything in this section to the contrary, after costs of collection as hereinabove in this section provided for there shall be deducted monthly from the said one-half of said two-sevenths paid into the treasury of the state to the credit of the highway department for the public road and bridge fund, the sum of five thousand two hundred and ten dollars before any distribution of such proceeds in accordance with the foregoing provisions of this section, and only the balance of such proceeds, after such costs of collection and such deduction of five thousand two hundred and ten dollars, shall be subject to distribution in accordance with the scheme of distribution hereinabove in this section provided. The said monthly deduction of five thousand two hundred and ten dollars shall be set aside in a fund to the credit of the several cities and towns in the state incorporated prior to January 1, 1943, and said fund shall be semiannually apportioned among and paid to the several incorporated cities and towns in the state on the basis of the ratio of the population of each such city or town to the total population of all such cities and towns, according to the then last federal census. All moneys received by municipalities under this section shall be used exclusively for the construction, improvement and maintenance of highways or streets and administrative expenses in connection therewith, including the retirement of bonds for the payment of which such revenues may have been pledged, and for no other purposes."

Section 5. This act shall become effective on the first day of the calendar month succeeding the month during which this act shall be approved by the Governor or shall otherwise become law.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Brooks	Edwards (Escambia)	Hardy
Adams	Brown (Lamar)	Edwards (Jefferson)	Hare
Albea	Brown (Lee)	Faulk	Harrison
Ashworth	Burkhalter	Ferrell	Harvey
Bagley	Callahan	Franklin	Hawkins
Bassett	Cornett	Gilchrist	Holliman
Boyd	Cox	Gist	Huddleston
Bradford	Crook	Goodwyn	Hunt
Brannan	Dawkins	Gregory	Jenkins
Branyon	deGraffenried	Hain	Johnson (Elmore)
Brassell	Dement	Hall	Johnson (Tallapoosa)
Brewer	DeSear	Haltom	Kaul
Broadfoot	Dickson	Hanby	Kendall

Killough	Martin	Perry	Speaks
Kirkham	Mathews	Pirkle	Steagall
Lackey	Meeks	Pruitt	Stembridge
Law	Money	Ramey	Stokes
Lee (Barbour)	Murphy	Reynolds	Summerlin
Lee (Lawrence)	Nettles	Richardson	Taylor
Locke (Choctaw)	Nice	Roberts	Thomas
McClendon	Nolen	Selman	Tyson
McKay	Oakley	Shumate	Vacca
McLendon	Oden	Simon	Windle
McNider	Payne	Solomon	Wood

—96

And said bill, H. 1, as amended by the Senate substitute, was again read at length and passed.

Yeas 92; Nays 2.

Yeas:

Mr. Speaker	Dement	Jenkins	Payne
Adams	DeSear	Johnson (Elmore)	Perry
Albea	Dickson	Johnson (Tallapoosa)	Pirkle
Ashworth	Edwards (Escambia)	Kaul	Pruitt
Bagley	Ferrell	Killough	Ramey
Bassett	Franklin	Kirkham	Reynolds
Boyd	Gilchrist	Lackey	Richardson
Bradford	Gist	Law	Roberts
Brannan	Goodwyn	Lee (Barbour)	Selman
Branyon	Gregory	Lee (Lawrence)	Shumate
Brassell	Grouby	Locke (Choctaw)	Simon
Brewer	Hain	McClendon	Solomon
Broadfoot	Hall	McKay	Speaks
Brooks	Haltom	McLendon	Steagall
Brown (Lamar)	Hanby	McNider	Stembridge
Brown (Lee)	Hardy	Martin	Stokes
Burkhalter	Harrison	Mathews	Summerlin
Callahan	Harvey	Meeks	Taylor
Cornett	Hawkins	Money	Thomas
Cox	Hodges	Murphy	Tyson
Crook	Holliman	Nettles	Vacca
Dawkins	Huddleston	Nice	Windle
deGraffenried	Hunt	Nolen	Wood

—92

Nays:

Messrs: Faulk Oakley

—2

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 2. To amend Section 2 of Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama, entitled "An Act to impose an excise tax upon the sale, distribution, storing, or withdrawal from storage within this State of certain motor fuels when used to operate motor

vehicles upon the highways; to define the term motor fuel as used herein; to fix the amount of such tax and to provide for the collection thereof; to provide penalties for the violation of this act; to provide for the expense of administering the provisions hereof; to provide for the disposition of the proceeds of such tax; to authorize the State Department of Revenue to adopt and promulgate rules and regulations with respect to the administration and enforcement of the provisions of this act; to provide for a modification or repeal of laws or portions thereof to the extent of any conflict with the provisions of this act; to fix the effective date of this act; and to generally provide for the enforcement of the provisions of this act and rules and regulations adopted pursuant thereto" and approved June 27, 1940, as heretofore amended, so as to increase the rate of the tax levied in said act, as amended, to eight cents per gallon.

SENATE MESSAGE

J. E. SPEIGHT,
Secretary

On motion of Mr. Hawkins the House concurred in and adopted the Senate amendment to the bill, H. 2, said Senate amendment being as follows:

Substitute for H. B. 2

A BILL TO BE ENTITLED AN ACT

To amend Section 2 of Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama, entitled "An Act to impose an excise tax upon the sale, distribution, storing, or withdrawal from storage within this State of certain motor fuels when used to operate motor vehicles upon the highways; to define the term motor fuel as used herein; to fix the amount of such tax and to provide for the collection thereof; to provide penalties for the violation of this act; to provide for the expense of administering the provisions hereof; to provide for the disposition of the proceeds of such tax; to authorize the State Department of Revenue to adopt and promulgate rules and regulations with respect to the administration and enforcement of the provisions of this act; to provide for a modification or repeal of laws or portions thereof to the extent of any conflict with the provisions of this act; to fix the effective date of this act; and to generally provide for the enforcement of the provisions of this act and rules and regulations adopted pursuant thereto" and approved June 27, 1940, as heretofore amended, so as to increase the rate of the tax levied in said act, as amended, to seven cents per gallon.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 2 of Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama, entitled "An Act to impose an excise tax upon the sale, distribution, storing, or withdrawal from storage within this State of certain motor fuels when used to operate motor vehicles upon the highways; to define the term motor fuel as used herein; to fix the amount of such tax and to provide for the collection thereof; to provide penalties for the violation of this act; to provide for the expense of administering the provisions hereof; to provide for the disposition of the proceeds of such tax; to authorize the State Department of Revenue to adopt and promulgate rules and regulations with respect to the administration and enforcement of the provisions of this act; to provide for a modification or repeal of laws or portions thereof to the extent of any conflict with the provisions of this act; to fix the

effective date of this act; and to generally provide for the enforcement of the provisions of this act and rules and regulations adopted pursuant thereto" and approved June 27, 1940, as heretofore amended, shall be and said Section 2 hereby is amended so as to read as follows:

"Section 2. Every distributor, or storer, or user, as defined in this act, shall pay, except as otherwise herein provided, an excise tax of seven cents per gallon upon the selling, using or consuming, distributing, storing or withdrawing from storage in this state of any motor fuel for use in the operation of any motor vehicle upon the highways of this state; provided, however, that where the excise tax herein levied shall have been paid by one distributor or storer or user, such payment shall be sufficient, the intent being that the tax shall be paid but once. Provided, further, that motor fuel subject to the excise tax levied by this act shall not be subject to any other excise tax levied by the state."

Section 2. This act shall become effective on the first day of the calendar month succeeding the month during which this act shall be approved by the Governor or shall otherwise become law.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	DeSear	Jenkins	Oakley
Adams	Dickson	Johnson (Elmore)	Payne
Albea	Edwards (Escambia)	Johnson (Tallahpoosa)	Perry
Ashworth	Edwards (Jefferson)	Kaul	Pirkle
Bagley	Faulk	Kendall	Pruitt
Bassett	Ferrell	Killough	Ramey
Boyd	Franklin	Kirkham	Reynolds
Bradford	Gilchrist	Lackey	Richardson
Brannan	Gist	Law	Roberts
Branyon	Goodwyn	Lee (Barbour)	Selman
Brassell	Gregory	Lee (Lawrence)	Shumate
Brewer	Grouby	Locke (Choctaw)	Simon
Broadfoot	Hain	McClendon	Solomon
Brooks	Hall	McKay	Speaks
Brown (Lamar)	Haltom	McLendon	Steagall
Brown (Lee)	Hanby	McNider	Stembridge
Burkhalter	Hardy	Martin	Stokes
Callahan	Harrison	Mathews	Summerlin
Cornett	Harvey	Meeks	Taylor
Cox	Hawkins	Money	Thomas
Crook	Hodges	Murphy	Tyson
Dawkins	Holliman	Nettles	Vacca
deGraffenried	Huddleston	Nice	Windle
Dement	Hunt	Nolen	Wood

—96

And said bill, H. 2, as amended by the Senate substitute, was again read at length and passed.

Yeas 95; Nays 2.

Yeas:

Mr. Speaker	Boyd	Broadfoot	Cornett
Adams	Bradford	Brooks	Cox
Albea	Brannan	Brown (Lamar)	Crook
Ashworth	Branyon	Brown (Lee)	Dawkins
Bagley	Brassell	Burkhalter	deGraffenried
Bassett	Brewer	Callahan	Dement

DeSear	Harvey	McClendon	Richardson
Dickson	Hawkins	McKay	Roberts
Edwards (Escambia)	Hodges	McLendon	Selman
Edwards (Jefferson)	Holliman	McNider	Shumate
Ferrell	Huddleston	Martin	Simon
Franklin	Hunt	Mathews	Solomon
Gilchrist	Jenkins	Meeks	Speaks
Gist	Johnson (Elmore)	Money	Steagall
Goodwyn	Johnson (Tallapoosa)	Murphy	Stembridge
Gregory	Kaul	Nettles	Stokes
Grouby	Kendall	Nice	Summerlin
Hain	Killough	Nolen	Taylor
Hall	Kirkham	Payne	Thomas
Haltom	Lackey	Perry	Tyson
Hanby	Law	Pirkle	Vacca
Hardy	Lee (Barbour)	Pruitt	Windle
Hare	Lee (Lawrence)	Ramey	Wood
Harrison	Locke (Choctaw)	Reynolds	

—95

Nays:

Messrs: Faulk Oakley

—2

RESOLUTION

The following resolution was introduced:

By Mr. Dawkins:

H.R. 31. BE IT RESOLVED BY THE HOUSE that the House do now proceed to elect Robert H. Broadfoot to fill the vacancy on the Legislative Committee on Examiners of Accounts.

On motion of Mr. Dawkins the rules were suspended and H.R. 31 was adopted.

And in accordance with the provisions of said resolution, the House, upon a viva voce roll call, voted unanimously for the election of Hon. Robert H. Broadfoot.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cornett	Haltom	Lackey
Adams	Cox	Hanby	Law
Albea	Dawkins	Hardy	Lee (Barbour)
Ashworth	deGraffenried	Hare	Lee (Lawrence)
Bagley	Dement	Harrison	Locke (Choctaw)
Bassett	DeSear	Harvey	McClendon
Boyd	Edwards (Escambia)	Hawkins	McKay
Bradford	Edwards (Jefferson)	Hodges	McLendon
Brannan	Faulk	Huddleston	McNider
Branyon	Ferrell	Hunt	Martin
Brassell	Franklin	Jenkins	Mathews
Brewer	Gilchrist	Johnson (Elmore)	Meeks
Brooks	Gist	Johnson (Tallapoosa)	Money
Brown (Lamar)	Gregory	Kaul	Murphy
Brown (Lee)	Grouby	Kendall	Nettles
Burkhalter	Goodwyn	Killough	Nice
Callahan	Hall	Kirkham	Nolen

Payne	Reynolds	Speaks	Vacca
Perry	Roberts	Summerlin	Ward
Pirkle	Selman	Taylor	Windle
Pruitt	Shumate	Thomas	Wood
Ramey	Simon	Tyson	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 3. To authorize the Director of Finance, the Highway Director, the Attorney General, the State Treasurer and the Executive Secretary to the Governor to become a corporation; to prescribe the powers of such corporation, including the power to construct public roads and bridges in the state and to finance such construction by the issuance of its bonds; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and for investment of trust funds, and shall not create an obligation or debt of the state; to provide that all bonds issued by the corporation may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the bonds of such corporation; to make appropriation and pledge of funds necessary to pay the principal of and interest on bonds of such corporation; to authorize such corporation to pledge such funds for payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds, but that said bonds will nevertheless constitute negotiable instruments; to provide that the State Treasurer shall be custodian of funds of said corporation; to confer on said corporation the power of eminent domain; and to provide for the dissolution of such corporation.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Hawkins the House concurred in and adopted the Senate amendment to the bill, H. 3, said Senate amendment being as follows:

Substitute for H. B. 3

A BILL
TO BE ENTITLED
AN ACT

To authorize the Director of Finance, the Highway Director, the Attorney General, the State Treasurer and the Executive Secretary to the Governor to become a corporation; to prescribe the powers of such corporation, including the power to construct public roads and bridges in the state and to finance such construction by the issuance of its bonds; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and for investment of trust funds, and shall not create an obligation or debt of the state; to provide that all bonds issued by the corporation may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the bonds of such corporation; to

make appropriation and pledge of funds necessary to pay the principal of and interest on bonds of such corporation; to authorize such corporation to pledge such funds for payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds, but that said bonds will nevertheless constitute negotiable instruments; to provide that the State Treasurer shall be custodian of funds of said corporation; to confer on said corporation the power of eminent domain; and to provide for the dissolution of such corporation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. LEGISLATIVE INTENT.—It is the intention of the Legislature by the passage of this act to authorize the incorporation of the Director of Finance, the Highway Director, the Attorney General, the State Treasurer and the Executive Secretary to the Governor of Alabama, for the purpose of constructing public roads and bridges, together with work incidental and related thereto, through a corporation to be composed of said officials whose incorporation is hereby authorized, to vest such corporation with all powers, authorities, rights, privileges, and titles that may be necessary to enable it to accomplish such purpose, and to appropriate and pledge funds for the use of such corporation. This act shall be liberally construed in conformity with the said purpose.

Section 2. AUTHORITY TO INCORPORATE.—The Director of Finance, the Highway Director, the Attorney General, the State Treasurer and the Executive Secretary to the Governor may become a corporation with the powers and authorities hereinafter provided, by proceeding according to the provisions of this act.

Section 3. PROCEEDING TO INCORPORATE.—To become a corporation, the Director of Finance, the Highway Director, the Attorney General, the State Treasurer and the Executive Secretary to the Governor shall present to the Secretary of State of Alabama an application signed by them which will set forth: (A) the name, official designation and official residence of each of the applicants, together with a certified copy of the commission evidencing each applicant's right to office; (B) the date on which each applicant was inducted into office and the term of office of each of the applicants; (C) the name of the proposed corporation, which shall be Alabama Highway Authority; (D) the location of the principal office of the proposed corporation; and (E) any other matter relating to the incorporation which the applicants may choose to insert and which is not inconsistent with this act or the laws of the State of Alabama. The application shall be subscribed and sworn to by each of the applicants before an officer authorized by the laws of the State of Alabama to take acknowledgments to deeds. The Secretary of State shall examine the application and, if he finds that it substantially complies with the requirements of this section, he shall receive and file it and record it in an appropriate book of records in his office.

Section 4. CERTIFICATE OF INCORPORATION.—When the application has been made, filed and recorded, as herein provided, the applicants shall constitute a corporation under the name proposed in the application and the Secretary of State shall make and issue to the applicants a certificate of incorporation pursuant to this act, under the Great Seal of the State, and shall record the same with the application. There shall be no fees paid to the Secretary of State for any work in connection with the incorporation or dissolution of the corporation so organized (which, for convenience, is herein referred to as "the corporation").

Section 5. MEMBERS, OFFICERS AND DIRECTORS OF THE CORPORATION.—The applicants named in the application and their respective successors in office shall constitute the members of the corporation. The Director of Finance shall be the president of the corporation, the Executive Secretary to the Governor shall be the vice president of the corporation, the Highway Director shall be the secretary of the corporation, and the State Treasurer shall be the treasurer of the corporation and shall act as custodian of its funds. The members of the corporation shall constitute all the members of the board of directors of the corporation, and any three members of the said board of directors shall constitute a quorum for the transaction of business. Should any of said officials of the state die or should his term of office (as Director of Finance, Highway Director, Attorney General, State Treasurer, or Executive Secretary to the Governor, as the case may be) expire or should he resign therefrom, his successor in office shall take his place as a member, officer and director of the corporation. No member, officer or director of the corporation shall draw any salary, in addition to that now authorized by law, for any service he may render or any duty he may perform in connection with the corporation. All proceedings had and done by the board of directors shall be reduced to writing by the secretary of the corporation and recorded in a substantially bound book. Copies of such proceedings, when certified by the secretary of the corporation under the seal of the corporation, shall be received in all courts as prima facie evidence of the matters and things therein certified.

Section 6. CORPORATE POWERS.—The corporation shall have the following powers: (A) to have succession by its corporate name for thirty (30) years unless sooner dissolved; (B) to sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties; (C) to have and to use a corporate seal and to alter the same at pleasure; (D) to construct, reconstruct, and relocate or to cause to be constructed, reconstructed, and relocated, public roads and bridges, including work incidental or related thereto, in the State of Alabama; (E) to acquire by purchase, gift, or condemnation, or any other lawful means and to convey or cause to be conveyed to the State of Alabama any real, personal or mixed property necessary or convenient in connection with the construction of public roads and bridges and approaches thereto in the State of Alabama, or the reconstruction or relocation of public roads and bridges in said state; (F) to exercise the right of eminent domain as freely and completely as, and in the same manner that, the State of Alabama is empowered to exercise such right; (G) to borrow money for its corporate purposes and in evidence of such borrowing to sell and issue its bonds and to refund any thereof by the issuance of refunding bonds (any such bonds, including refunding bonds, being herein collectively referred to as "bonds"); (H) as security for payment of the principal of and the interest on its bonds, to pledge the proceeds of the appropriations and pledges herein provided for; and (I) to appoint and employ such officers, attorneys, and agents as the business of the corporation may require.

Section 7. BONDS OF THE CORPORATION.—The bonds of the corporation shall be signed by its president and attested by its secretary and the seal of the corporation shall be affixed thereto, and any interest coupons applicable to such bonds shall be signed by the president; provided, that a facsimile of the signature of one, but not of both, of said officers may be impressed on any such bonds in lieu of his signing the same, and a facsimile of the president's signature may be impressed on any such interest coupons in lieu of his signing the same. Any bonds of the corporation may be executed and delivered by it at

any time and from time to time, shall be in such form and denominations and of such tenor and maturities, shall bear such rate or rates of interest payable and evidenced in such manner, may contain provisions for redemption prior to maturity, and may contain other provisions not inconsistent herewith, all as may be provided by the resolution of the board of directors whereunder such bonds are authorized to be issued; provided, that no bond of the corporation shall have a specified maturity date later than twenty years after its date. Any bond of the corporation having a specified maturity date more than five years after its date shall be made subject to redemption at the option of the corporation at the end of the fifth year after its date and on any interest payment date thereafter under such terms and conditions as may be provided in the resolution under which such bond is authorized to be issued. Bonds of the corporation may be sold from time to time as the board of directors may deem advantageous; provided, that the aggregate principal amount of bonds of the corporation at any one time outstanding shall not exceed Fifty Million Dollars (\$50,000,000.00); provided, further, that no bonds shall be issued by the corporation in any instance where the aggregate of the principal thereof and interest thereon maturing during any fiscal year of the State of Alabama, when added to the total principal and interest maturing during the same fiscal year with respect to all bonds of the corporation then outstanding, if any there be, exceeds fifty percentum of the sum of the following, as such sum shall be certified by the Commissioner of Revenue of the State of Alabama; (1) the amount of the funds pledged and appropriated in subsection (A) of Section 9 hereof collected by the State of Alabama during the fiscal year next preceding the fiscal year during which such bonds shall be issued; and (2) in the case of bonds issued during either of the fiscal years ending September 30, 1955, and September 30, 1956, one-ninth of the proceeds of the gasoline excise tax levied under Section 647 of Title 51 of the Code of Alabama of 1940, as amended, collected by the State of Alabama during the fiscal year ending September 30, 1954, or, in the case of bonds issued during any fiscal year ending subsequent to September 30, 1956, two-twenty-firsts of the proceeds of the gasoline excise tax levied under Section 647 of Title 51 of the Code of Alabama of 1940, as amended, collected by the State of Alabama during the fiscal year next preceding the fiscal year during which such bonds shall be issued. Bonds of the corporation must be sold only at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest net interest cost to the corporation for the bonds being sold, computed to their respective maturities; provided, that if no bid acceptable to the corporation is received it may reject all bids. Notice of each such sale shall be given by publication in either a financial journal or a financial newspaper published in the City of New York, New York, and also by publication in a daily newspaper published in the State of Alabama, each of which notices must be published at least one time not less than ten days prior to the date fixed for the sale. The board of directors may fix the terms and conditions under which each such sale may be held; provided, that none of the bonds may be sold for a price less than the face value thereof; and provided further, that such terms and conditions shall not conflict with any of the requirements of this act. Subject to the provisions and limitations contained in this act, the corporation may from time to time sell and issue refunding bonds for the purpose of refunding any matured or unmatured bonds of the corporation then outstanding. Such refunding bonds shall be subrogated and entitled to all the priorities, rights and pledges to which the bonds refunded thereby were entitled. Approval by the Governor of Alabama of the terms and conditions under which any bonds of the corporation may be issued shall be requisite to their validity. Such approval shall be entered on the minutes of the meetings of the board of directors at which the bonds are authorized, and shall be signed by

the Governor. Such approval by the Governor may be shown on any such bonds by his facsimile signature when authorization thereof is contained in the said approval signed by him. The corporation may pay out of the proceeds from the sale of its bonds all expenses, including fees of fiscal agents and attorneys and other charges, which said board of directors may deem necessary and advantageous in connection with the issuance of such bonds. Bonds issued by the corporation shall not be general obligations of the corporation but shall be payable solely out of the funds appropriated and pledged therefor in Section 9 hereof. As security for the payment of the principal of and interest on any bonds issued by it, the corporation is hereby authorized and empowered to pledge for payment of such principal and interest the funds that are appropriated and pledged in Section 9 hereof for payment of said principal and interest. All such pledges made by the corporation shall take precedence in the order of the adoption of the resolutions containing such pledges; provided, that each pledge for the benefit of refunding bonds shall have the same priority as the pledge for the benefit of the bonds refunded thereby. All contracts made and all bonds issued by the corporation pursuant to the provisions of this act shall be solely and exclusively obligations of the corporation and shall not be an obligation or debt of the State of Alabama. Bonds issued by the corporation shall be construed to be negotiable instruments although payable solely from a specified source, as herein provided. All bonds issued by the corporation and the income therefrom shall be exempt from all taxation in the State of Alabama. Any bonds issued by the corporation may be used by the holder thereof as security for any funds belonging to the state or to any instrumentality or agency of the state in any instance where security for such deposits may be required by law. Unless otherwise directed by the court having jurisdiction thereof, or by the document that is the source of authority, a trustee, executor, administrator, guardian, or one acting in any other fiduciary capacity may, in addition to any other investment powers conferred by law and with the exercise of reasonable business prudence, invest trust funds in bonds of the corporation. Neither a public hearing nor consent by the State Department of Finance or any other department or agency shall be a prerequisite to the issuance of bonds by the corporation.

Section 8. PROCEEDS OF BONDS.—The proceeds of all bonds, other than refunding bonds, issued by the corporation, remaining after paying the expenses of their issuance, shall be turned into the treasury, shall be carried in the public road and bridge account, and shall be subject to be drawn on by the corporation, upon the approval of the State Highway Department and the Governor, but solely for the purpose of constructing, reconstructing and relocating public roads and bridges, or work incidental or related thereto, in the State of Alabama, including the acquisition of property necessary for such construction and incidental and related work; provided, however, that if such action shall be necessary in order to comply with any federal legislation relating to federal aid in construction of roads, the corporation may authorize the State Highway Department to expend directly any portion of such proceeds for constructing, reconstructing and relocating such roads and bridges or work incidental or related thereto. The proceeds from the sale of any refunding bonds of the corporation remaining after paying the expenses of their issuance shall be used only for the purpose of refunding the principal of outstanding bonds of the corporation and of paying any premium that may be necessary to be paid in order to redeem or retire the bonds to be refunded. All contracts of the corporation for the construction, reconstruction and relocation of roads and bridges, and work incidental or related thereto, and the acquisition of property necessary therefore, shall be in writing, shall be subject to the rules and regulations and shall be let under the supervision of the State Highway

Department, and shall be subject to approval by the Governor and by the State Highway Department. All work provided for in any such contract shall be supervised by the State Highway Department. All persons engaged in the supervision or performance of any such work of construction, reconstruction or relocation that may be done by the corporation without the award of a contract therefor shall be employees of the State Highway Department. The corporation shall make and enforce all reasonable rules and regulations not inconsistent with the terms of this act or the laws of the State of Alabama as may in its opinion be proper and suitable, for the protection of said roads, bridges, approaches and appurtenances, and for the safety of the traveling public. Any property acquired by the corporation by purchase, condemnation or otherwise shall be forthwith conveyed to the State of Alabama. All roads and bridges constructed by the corporation shall constitute part of the public highway system in the state.

Section 9. REVENUES OF THE CORPORATION.—For the purpose of providing funds to enable the corporation to pay the principal of and interest on any bonds issued by it under the provisions of this act, and to accomplish the purposes and objects of its creation, there hereby are irrevocably pledged to such purpose and appropriated so much as may be necessary for such purpose of the following: (A) the residue of the receipts collected by the State from the Gasoline Excise Tax originally levied by Act No. 5 adopted at the 1927 Session of the Legislature of Alabama and approved January 25, 1927 (being a portion of the tax levied under Section 647 of Title 51 of the Code of Alabama of 1940, as amended, and being that part of said tax referred to in subsection (a) of Section 656 of Title 51 of the Code of Alabama of 1940, as amended), after there shall have been taken therefrom the amount necessary for the purposes specified in clauses (1), (2), and (3) of subsection (a) of said Section 656, as amended; and (B) the revenues collected by the State from that portion of the Gasoline Excise Tax, levied under Section 647 of Title 51 of the Code of Alabama of 1940, as amended, that is referred to in subsection (b) of said Section 656, as amended. All moneys hereby appropriated and pledged shall constitute a sinking fund for the purpose of paying the principal of and the interest on bonds of the corporation.

Section 10. STATE TREASURER TO DISBURSE FUNDS.—Out of the revenues appropriated and pledged in Section 9 hereof, the State Treasurer is authorized and directed to pay the principal of and interest on the bonds issued by the corporation under the provisions of this act, as such principal and interest shall respectively mature, and he is further authorized and directed to set up and maintain appropriate records pertaining thereto.

Section 11. DISSOLUTION OF THE CORPORATION.—At any time when no bonds of the corporation are outstanding, the corporation may be dissolved upon the filing with the Secretary of State of an application for dissolution, which shall be subscribed by each of the members of the corporation and which shall be sworn to by each such member before an officer authorized to take acknowledgments to deeds. Upon the filing of said application for dissolution, the corporation shall cease and any property owned by it at the time of its dissolution shall pass to the State of Alabama. The Secretary of State shall file and record the application for dissolution, in an appropriate book of record in his office, and shall make and issue, under the Great Seal of the state, a certificate that the corporation is dissolved, and shall record the said certificate with the application for dissolution.

Section 12. SEVERABILITY CLAUSE.—In the event any section, sentence, clause or provision of this act shall be declared invalid by

any court of competent jurisdiction, such action shall not affect the validity of the remaining sections, sentences, clauses, or provisions of this act, which shall continue effective.

Section 13. **EFFECTIVE DATE.**—This act shall become effective upon its approval by the Governor or upon its otherwise becoming law.

Yeas 96; Nays 2.

Yeas:

Mr. Speaker	DeSear	Hunt	Nice
Adams	Dickson	Jenkins	Nolen
Albea	Edwards ^(Escambia)	Johnson ^(Elmore)	Oakley
Ashworth	Edwards ^(Jefferson)	Johnson ^(Tallapoosa)	Oden
Bagley	Faulk	Kaul	Payne
Bassett	Ferrell	Kendall	Perry
Boyd	Franklin	Killough	Pirkle
Bradford	Gilchrist	Kirkham	Ramey
Brannan	Gist	Lackey	Reynolds
Branyon	Goodwyn	Law	Roberts
Brassell	Gregory	Lee ^(Barbour)	Selman
Brewer	Grouby	Lee ^(Lawrence)	Shumate
Broadfoot	Hain	Locke ^(Choctaw)	Simon
Brooks	Hall	Love	Solomon
Brown ^(Lamar)	Haltom	McClendon	Speaks
Brown ^(Lee)	Hanby	McKay	Steagall
Burkhalter	Hardy	McLendon	Stokes
Callahan	Hare	McNider	Summerlin
Cornett	Harrison	Martin	Taylor
Cox	Harvey	Mathews	Tyson
Crook	Hawkins	Meeks	Vacca
Dawkins	Hodges	Money	Ward
deGraffenried	Holliman	Murphy	Windle
Dement	Huddleston	Nettles	Wood

—96

Nays:

Messrs: Pruitt Richardson

—2

And said bill, H. 3, as amended by the Senate substitute, was again read at length and passed.

Yeas 92; Nays 6.

Yeas:

Mr. Speaker	Brooks	Edwards ^(Escambia)	Hardy
Adams	Brown ^(Lamar)	Edwards ^(Jefferson)	Hare
Albea	Brown ^(Lee)	Ferrell	Harrison
Ashworth	Burkhalter	Franklin	Harvey
Bagley	Callahan	Gilchrist	Hawkins
Bassett	Cornett	Gist	Hodges
Boyd	Cox	Goodwyn	Holliman
Bradford	Crook	Gregory	Huddleston
Brannan	Dawkins	Grouby	Hunt
Branyon	deGraffenried	Hain	Jenkins
Brassell	Dement	Hall	Johnson ^(Elmore)
Brewer	DeSear	Haltom	Johnson ^(Tallapoosa)
Broadfoot	Dickson	Hanby	Kendall

Killough	McLendon	Oden	Speaks
Kirkham	McNider	Payne	Steagall
Lackey	Martin	Pirkle	Stokes
Law	Mathews	Ramey	Summerlin
Lee (Barbour)	Meeks	Reynolds	Taylor
Lee (Lawrence)	Money	Roberts	Tyson
Locke (Choctaw)	Murphy	Selman	Vacca
Love	Nettles	Shumate	Ward
McClendon	Nice	Simon	Windle
McKay	Nolen	Solomon	Wood

—92

Nays:

Messrs:	Kaul	Perry	Richardson
Faulk	Oakley	Fruitt	

—6

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions and House Bills, to-wit:

H. J. R. 26. Relative to naming H B 17.

Also:

H. J. R. 27. Relative to extending sympathy to the family of Hon. James Oscar Sentell.

Also:

H. J. R. 28. Relative to expressing sympathy to the family of the Hon. Peterson B. Jarman and requesting a page of the House Journal be dedicated to the memory of Pete Jarman.

Also:

H. 28. To provide for distribution of codes and code supplements, authorizing and directing the Secretary of State to supply certain legal-aid offices with codes and code supplements.

Also:

H. 40. To amend further Section 366 of Title 52, Code of Alabama (1940), which provides for retirement age and retirement benefits under the Teachers' Retirement System.

And finds same correctly enrolled.

RANKIN FITE
Chairman

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying message from His Excellency, the Governor, proposing an amendment to the Bill:

S. 16. To amend Section 6 of Act No. 46, S. 154, approved June 2, 1949, an Act which authorizes the incorporation in any county of a public corporation for hospital purposes (1949 Acts 68).
said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 16, with a suggested executive amendment.

Respectfully submitted,
O. H. FINNEY, JR.,
Executive Secretary

FEBRUARY 23, 1955

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 16, with a suggested executive amendment, as follows:

Amend Section 1 of said bill by inserting immediately after the words, "elected by the governing body of the county" the following words: "except as hereinafter provided."

The suggested executive amendment is made with the full knowledge and approval and at the request of the author of said bill, and if adopted will remove my objection to the bill.

Respectfully,
JAMES E. FOLSOM,
Governor

And the Senate has concurred in and adopted the amendment proposed by the Governor to the Bill, S. B. 16, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 33; Nays 0.

And said Bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 32, Nays 0.

And said Bill, S. B. 16, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the House for its consideration.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, S. 16, said Governor's amend-

ment being set out in the above and foregoing Message from the Senate.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	DeSear	Johnson (Elmore)	Oden
Adams	Dickson	Johnson (Tallapoosa)	Payne
Albea	Edwards (Escambia)	Kaul	Perry
Ashworth	Edwards (Jefferson)	Kendall	Pirkle
Bagley	Faulk	Killough	Pruitt
Bassett	Ferrell	Kirkham	Ramey
Boyd	Franklin	Lackey	Reynolds
Bradford	Gilchrist	Law	Richardson
Brannan	Gist	Lee (Barbour)	Roberts
Branyon	Goodwyn	Lee (Lawrence)	Selman
Brasseli	Gregory	Locke (Choctaw)	Shumate
Brewer	Hain	Love	Simon
Broadfoot	Hall	McClendon	Solomon
Brooks	Haltom	McKay	Speaks
Brown (Lamar)	Hanby	McLendon	Steagall
Brown (Lee)	Hardy	McNider	Stokes
Burkhalter	Hare	Martin	Summerlin
Callahan	Harrison	Mathews	Taylor
Cornett	Harvey	Meeks	Thomas
Cox	Hawkins	Money	Tyson
Crook	Hodges	Murphy	Vacca
Davis	Holliman	Nettles	Ward
Dawkins	Huddleston	Nice	Windle
deGraffenried	Hunt	Nolen	Wood
Dement	Jenkins	Oakley	

—99

Which was a majority of the whole number elected to the House.

And said bill:

S. 16. To amend Section 6 of Act. No. 46, S. 154, approved June 2, 1949, an Act which authorizes the incorporation in any county of a public corporation for hospital purposes (1949 Acts 68).

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Brown (Lee)	Ferrell	Hodges
Adams	Burkhalter	Franklin	Holliman
Albea	Callahan	Gilchrist	Huddleston
Ashworth	Cornett	Gist	Hunt
Bagley	Cox	Goodwyn	Jenkins
Bassett	Crook	Gregory	Johnson (Elmore)
Boyd	Davis	Hain	Johnson (Tallapoosa)
Bradford	Dawkins	Hall	Kaul
Brannan	deGraffenried	Haltom	Kendall
Branyon	Dement	Hanby	Killough
Brassell	DeSear	Hardy	Kirkham
Brewer	Dickson	Hare	Lackey
Broadfoot	Edwards (Escambia)	Harrison	Law
Brooks	Edwards (Jefferson)	Harvey	Lee (Barbour)
Brown (Lamar)	Faulk	Hawkins	Lee (Lawrence)

Locke (Choctaw)	Murphy	Reynolds	Stokes
Love	Nettles	Richardson	Summerlin
McClendon	Nolen	Roberts	Taylor
McKay	Oakley	Selman	Thomas
McLendon	Oden	Shumate	Tyson
McNider	Payne	Simon	Vacca
Martin	Perry	Solomon	Ward
Mathews	Pirkle	Speaks	Windle
Meeks	Pruitt	Steagall	Wood
Money	Ramey		

—98

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Lamberth:

S. J. R. 29. Resolved by the Senate, the House concurring, that when the two houses adjourn today, they adjourn to meet again on tomorrow, February 24th, 1955, at ten o'clock A.M.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S. J. R. 29 set out in the above and foregoing Message from the Senate.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:40 P. M. On February 23, 1955

H. 32

H. 37

H. J. R. 24

Delivered to the Governor at 3:55 P. M. On February 23, 1955

H. J. R. 26

H. J. R. 27

H. J. R. 28

H. 28

H. 40

R. T. GOODWYN, JR.
Clerk

ADJOURNMENT

On motion of Mr. Hawkins the House adjourned until Thursday, February 24, 1955, at ten o'clock A.M.

ELEVENTH DAY

House of Representatives
Montgomery, Alabama
Thursday, February 24, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Donald C. MacGuire, Superintendent, Religious Activities, Alabama Prison System, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Edwards ^(Escambia)	Johnson ^(Tallapoosa)	Nettles
Adams	Edwards ^(Jefferson)	Kaul	Nice
Albea	Faulk	Kelly	Nolen
Ashworth	Ferrell	Kendall	Oden
Bagley	Franklin	Killough	Payne
Bassett	Gilchrist	Kirkham	Perry
Boyd	Gist	Lackey	Pirkle
Bradford	Goodwyn	Law	Ramey
Branyon	Gregory	Lee ^(Barbour)	Richardson
Brassell	Grouby	Lee ^(Lawrence)	Roberts
Brewer	Hain	Locke ^(Choctaw)	Simon
Broadfoot	Hall	Locke ^(Perry)	Solomon
Brooks	Haltom	Love	Speaks
Brown ^(Lamar)	Hardy	McClendon	Steagall
Burkhalter	Hare	McKay	Stokes
Callahan	Harrison	McLendon	Summerlin
Cornett	Harvey	McNider	Taylor
Cox	Hawkins	Martin	Thomas
Dawkins	Hodges	Mathews	Tyson
deGraffenried	Holliman	Meeks	Vacca
Dement	Hunt	Money	Ward
DeSear	Jenkins	Murphy	Windle
Dickson	Johnson ^(Elmore)		

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Tenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the Tenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Tenth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1. To amend Sections 647, 655, 656 and 657 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to increase the rate of the State Gasoline Excise Tax to seven cents per gallon and so as to make further provisions respecting the distribution of said tax.

Also:

H. 2. To amend Section 2 of Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama, entitled "An Act to impose an excise tax upon the sale, distribution, storing, or withdrawal from storage within this State of certain motor fuels when used to operate motor vehicles upon the highways; to define the term motor fuel as used herein; to fix the amount of such tax and to provide for the collection thereof; to provide penalties for the violation of this act; to provide for the expense of administering the provisions hereof; to provide for the disposition of the proceeds of such tax; to authorize the State Department of Revenue to adopt and promulgate rules and regulations with respect to the administration and enforcement of the provisions of this act; to provide for a modification or repeal of laws or portions thereof to the extent of any conflict with the provisions of this act; to fix the effective date of this act; and to generally provide for the enforcement of the provisions of this act and rules and regulations adopted pursuant thereto" and approved June 27, 1940, as heretofore amended, so as to increase the rate of the tax levied in said act, as amended, to seven cents per gallon.

Also:

H. 3. To authorize the Director of Finance, the Highway Director, the Attorney General, the State Treasurer and the Executive Secretary to the Governor to become a corporation; to prescribe the powers of such corporation, including the power to construct public roads and bridges in the state and to finance such construction by the issuance of its bonds; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and for investment of trust funds, and shall not create an obligation or debt of the state; to provide that all bonds issued by the corporation may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the bonds of such corporation; to make appropriation and pledge of funds necessary to pay the principal of and interest on bonds of such corporation; to authorize such corporation to pledge such funds for payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds, but that said bonds will nevertheless constitute negotiable instruments; to provide that the State Treasurer shall be custodian of funds of said corporation; to confer on said corporation the power of eminent domain; and to provide for the dissolution of such corporation.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a

quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 34. Authorizing state banks situated in counties having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or subsequent federal decennial census, to establish, maintain and operate branch banks, branch offices, or other places of business within the corporate limits of the city or town in which the principal place of business of the bank is situated, by and with the approval of the superintendent of banks.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and return same herewith to the House:

HJR 30. Relative to the moving of women mental patients from the Veterans Hospital at Tuscaloosa, Alabama, to the Veterans Hospital at Salisbury, North Carolina.

Also:

HJR 29. Naming House Bill 4.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and return same herewith to the House:

H. 25. To provide for the appointment of deputy circuit solicitors in the Sixteenth Judicial Circuit, and for the payment of their compensation.

Also:

H. 29. Relating to the Sixth Judicial Circuit of Alabama, composed of Tuscaloosa County; and providing for and fixing the salary of the Official Court Reporters of such Judicial Circuit and providing for the payment thereof; and providing that said Court Reporters shall in addition receive the same fees for transcribing and writing up testimony and evidence taken by them as provided by law for other Court Reporters.

Also:

H. 31. To fix the salary of the Deputy Circuit Solicitor of the Sixth Judicial Circuit.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Newton:

S. J. R. 30. Resolved by the Senate, the House concurring, that H. B. 46 and H. B. 47 be known and designated as the "Newton, Selman and Shumate Bills."

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Dawkins the rules were suspended and the House concurred in and adopted the S. J. R. 30 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 9. To amend further Sections 394 and 409, Title 51, Code of Alabama (1940), which relate to income taxes, by providing for a change in the time of filing returns of and paying such tax.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 24. For the relief of James E. Allen and to appropriate for the said James E. Allen the sum of \$2,000.00, to compensate him for severe and permanent injuries and the partial loss of a hand while serving as a convict in Draper Prison.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Callahan the House concurred in and adopted the Senate amendment to the bill, H. 24, said Senate amendment being as follows:

SENATE AMENDMENT TO H. B. 24

Amend Section 2 of H. B. 24 by adding after the words "State Treasury" the following: "to the credit of the State Board of Corrections," and by striking out the words "not otherwise appropriated."

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Ashworth	Boyd	Brassell
Adams	Bagley	Bradford	Brewer
Albea	Bassett	Branyon	Broadfoot

Brown (Lamar)	Grouby	Kirkham	Oden
Burkhalter	Hain	Lackey	Payne
Callahan	Hall	Lee (Barbour)	Perry
Cornett	Haltom	Lee (Lawrence)	Pirkle
Cox	Hardy	Locke (Choctaw)	Ramey
Dawkins	Hare	Locke (Perry)	Richardson
deGraffenried	Harrison	Love	Roberts
Dement	Harvey	McClendon	Simon
DeSear	Hawkins	McKay	Speaks
Edwards (Escambia)	Hodges	McLendon	Steagall
Edwards (Jefferson)	Holliman	McNider	Taylor
Faulk	Hunt	Martin	Thomas
Ferrell	Jenkins	Mathews	Tyson
Franklin	Johnson (Elmore)	Meeks	Vacca
Gist	Johnson (Tallapoosa)	Murphy	Ward
Goodwyn	Kelly	Nettles	Windle
Gregory	Killough	Nolen	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 16. To amend Section 6 of Act No. 46, S. 154, approved June 2, 1949, an Act which authorizes the incorporation in any county of a public corporation for hospital purposes (1949 Acts 68).

J. E. SPEIGHT,
Secretary

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and return same herewith to the House:

H. 30. To provide for the appointment and tenure and fixing the compensation of Bailiffs for Circuit Courts of Alabama in Circuits composed of one County and having two Circuit Judges.

Also:

H. 41. To make an appropriation for the relief of Russell County.

Also:

H. 43. To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefore in said county; to provide for the collection and payment of

such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

Also:

H. 46. Relating to the town of Parrish in Walker County; repealing an Act approved June 18, 1953 (Act No. 102, H. 330, Acts of Alabama, 1953, p. 145), and an Act approved August 14, 1953 (Act No. 327, H. 603, Acts of Alabama, 1953, p. 384), both of which altered and extended the boundary lines and corporate limits of the town of Parrish in Walker County.

Also:

H. 47. Relating to Walker County; authorizing the circuit clerk to appoint an assistant; and providing for the compensation of the assistant.

J. E. SPEIGHT,
Secretary

RESOLUTION

The following resolution was introduced:

By Mr. Cornett:

H. J. R. 32. Resolved by the House, the Senate concurring, that H. 41, which has passed in both houses, be named, known and designated as "The Smith, Cornett, Brassell Bill."

On motion of Mr. Cornett the rules were suspended and H. J. R. 32 was adopted.

MOTION IN WRITING

Mr. Kelly filed the following Motion In Writing:

I move that the Journal show that I was absent on account of urgent business, meeting with the Attorney from Atlanta on Old Age Pension matters, on yesterday when House Bills 1, 2 and 3 were voted on. Had I been present I would most certainly have voted for these bills.

And the motion was adopted.

RECESS

On motion of Mr. Hawkins the House recessed until 11:30 o'clock A. M. The hour of 11:30 o'clock A. M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:

By Mr. Lamberth:

SJR 31. BE IT RESOLVED BY THE SENATE, the House concurring, that the Legislature meet in Joint Session in the Hall of the

House of Representatives at 11:45 A. M. today, for the purpose of hearing a message from His Excellency, the Governor.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S. J. R. 31 set out in the above and foregoing Message from the Senate.

The Speaker named as a committee on the part of the House to escort the Governor to the Hall of the House of Representatives: Messrs. Bradford, Hall and Ramey.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 9. To amend further Sections 394 and 409, Title 51, Code of Alabama (1940), which relate to income taxes, by providing for a change in the time of filing returns of and paying such tax.

Also:

H. 24. For the relief of James E. Allen and to appropriate for the said James E. Allen the sum of \$2,000.00, to compensate him for severe and permanent injuries and the partial loss of a hand while serving as a convict in Draper Prison.

Also:

H. 25. To provide for the appointment of deputy circuit solicitors in the Sixteenth Judicial Circuit, and for the payment of their compensation.

Also:

H. 29. Relating to the Sixth Judicial Circuit of Alabama, composed of Tuscaloosa County; and providing for and fixing the salary of the Official Court Reporters of such Judicial Circuit and providing for the payment thereof; and providing that said Court Reporters shall in addition receive the same fees for transcribing and writing up testimony and evidence taken by them as provided by law for other Court Reporters.

Also:

H. 31. To fix the salary of the Deputy Circuit Solicitor of the Sixth Judicial Circuit.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions and House Bills, to-wit:

H. J. R. 29. Relative to naming House Bill 4.

Also:

H. J. R. 30. Relative to a movement on the part of the United States Veterans Administration to move all of the women patients from the United States Veterans Hospital at Tuscaloosa, Alabama, to a recently constructed hospital at Salisbury, North Carolina.

Also:

H. 30. To provide for the appointment and tenure and fixing the compensation of Bailiffs for Circuit Courts of Alabama in Circuits composed of one County and having two Circuit Judges.

Also:

H. 41. To make an appropriation for the relief of Russell County.

Also:

H. 43. To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefore in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

Also:

H. 46. Relating to the town of Parrish in Walker County; repealing an Act approved June 18, 1953 (Act No. 102, H. 330, Acts of Alabama, 1953, p. 145), and an Act approved August 14, 1953 (Act No. 327, H. 603, Acts of Alabama, 1953, p. 384), both of which altered and extended the boundary lines and corporate limits of the town of Parrish in Walker County.

Also:

H. 47. Relating to Walker County; authorizing the circuit clerk to appoint an assistant; and providing for the compensation of the assistant.

And finds same correctly enrolled.

RANKIN FITE,
Chairman

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading

at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:

By Messrs. Flowers, Roberts, Calvin and Newton:

SJR 32. BE IT RESOLVED BY THE SENATE, the House of Representatives concurring, that Honorable George N. Craig, Governor of Indiana, is cordially invited to address a joint session of the Legislature at a date to be selected by him.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S. J. R. 32 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 32. Relative to naming H. B. 41.

J. E. SPEIGHT,
Secretary

JOINT SESSION

The hour of eleven forty-five o'clock A. M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the Hall of the House of Representatives, in accordance with Senate Joint Resolution No. 31, for the purpose of hearing an address by the Governor of the State of Alabama.

The joint session was called to order by the Hon. W. Guy Hardwick, Lieutenant Governor and Presiding Officer of the Senate.

The Hon. James E. Folsom, Governor of the State of Alabama, appeared and addressed the joint session of the Legislature of the State of Alabama.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 32. Relative to naming House Bill 41.
And finds same correctly enrolled.

RANKIN FITE,
Chairman

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Mr. Hawkins:

H.J.R. 33. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn Sine Die.

On motion of Mr. Hawkins the rules were suspended and H. J. R. 33 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 30. Relative to naming House Bills 46 and 47.

Also:

S. J. R. 32. Relative to an invitation to Governor Geo. N. Craig of Indiana, that he be invited to address a joint session of the Legislature.

J. E. SPEIGHT,
Secretary

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 33. Relative to sine die adjournment.

J. E. SPEIGHT,
Secretary

DEDICATED
TO THE
MEMORY OF
PETERSON B. JARMAN
SOLDIER, STATESMAN AND DIPLOMAT

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:25 A. M. On February 24, 1955

H. 1
H. 2
H. 3

Delivered to the Governor at 12:15 P. M. On February 24, 1955

H. 9
H. 24
H. 25
H. 29
H. 31
H. J. R. 29
H. J. R. 30
H. 30
H. 41
H. 43
H. 46
H. 47
H. J. R. 32

R. T. GOODWYN, JR.
Clerk

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Eleventh legislative day and finds the same to be correct.

RANKIN FITE,
Chairman

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the Eleventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted and the Journal for the Eleventh legislative day was approved.

ADJOURNMENT

On motion of Mr. Hawkins, the House adjourned sine die at 12:28 o'clock P. M.

RANKIN FITE
Speaker of the House of Representatives of
the Legislature of Alabama, Extraordinary
Session, 1955.

Attest:

R. T. GOODWYN, JR.
Clerk of the House of Representatives of the
Legislature of Alabama, Extraordinary Session, 1955.

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- Act approved September 19, 1923, Section 2, establishing Board of Revenue and abolishing Court of County Commissioners of Marengo County. S. 1, pp. 49-51, 61, 78, 103.
- Act approved June 27, 1940, Section 2, Act 590, relating to excise tax on certain motor fuels. H. 2, pp. 6-7, 28, 58-59, 72, 153-156, 169-170, 173, 179.
- Act approved June 2, 1949, Section 6, Act 46, S. 154, authorizing the incorporation in any county of a public corporation for hospital purposes. S. 16, pp. 105, 110, 135-136, 139, 144, 165-167, 172.
- Act approved July 31, 1951, Section 1, Act 311, fixing the compensation of the Sheriff in certain counties. S. 8, pp. 51, 61, 76-77, 103.
- Act approved September 11, 1951, Section 27, Act 813, S. 662, relating to form of government in cities having population of 75,000 to 125,000. H. 23, pp. 21, 29, 30-31, 46-47.
- Act approved September 11, 1951, Section 27, Act 813, S. 662, relating to form of government in cities having population of 75,000 to 125,000. S. 9, pp. 51-52, 61, 77, 103.
- Act approved September 15, 1953, Act 621, H. 906, relating to expense allowance for governing body of counties with 24,500 to 25,725 population. H. 38, pp. 62, 91, 136-137.
- Act approved September 19, 1953, Act 784, H. 316, relating to commercial fishing. H. 17, pp. 19, 61, 86-87, 121-122, 126, 127-128, 140.
- Act approved September 19, 1953, Act 784, H. 316, relating to, commercial fishing; commonly called "The 20-Hook Law." H. 18, pp. 19, 61, 87-88.

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- Act approved June 3, 1953, Act 42, relative to a perpetual inventory of all property subject to taxation in counties with 75,000 to 90,000 population. H. 4, pp. 7-8, 29-30, 41-42, 88, 101, 102, 107, 146.
- Act approved June 18, 1953, Act 102, altering the boundaries of Parrish, Walker County. H. 46, pp. 98-99, 110-111, 130-131, 171, 173, 175, 179.
- Act approved August 14, 1953, Act 327, altering the boundaries of Parrish, Walker County. H. 46, pp. 98-99, 110-111, 130-131, 171, 173, 175, 179.
- Act approved September 19, 1953, Act 784, H. 316, relating to commercial fishing gear. H. 16, pp. 18-19.
- Act approved September 19, 1953, Act 784, H. 316, relating to, commercial fishing gear. H. 42, pp. 75-76.

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BANKS AND BANKING

Counties 225,000 to 400,000; branch banks authorized. H. 34, pp. 40, 170.

BONDS

Authorizing issuance of \$75,000,000 for roads, highways, and bridges. Constitutional Amendment. H. 26, p. 31.

Authorizing issuance of \$75,000,000 for road, highways and bridges. H. 27. p. 31.

Public road and bridge corporation bonds. H. 3, pp. 7, 28-29, 59, 63-69, 72, 157-164, 169-170, 173, 179.

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75,000 to 125,000. Amending Section 27, Act 813, S. 662, approved September 11, 1951, relative to form of government. H. 23, pp. 21, 29, 30-31, 46-47.

75,000 to 125,000. Amending Section 27, Act 813, S. 662, approved September 11, 1951, relative to form of government. S. 9, pp. 51-52, 61, 77, 103.

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Relating to the labeling or marking of coal transported into Alabama and the fee for such inspection. H. 19, pp. 19, 93, 147.

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JOURNAL
OF THE
House of Representatives
OF THE
State Of Alabama

SECOND EXTRAORDINARY SESSION



WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

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JOURNAL

OF THE

House of Representatives

OF THE

State Of Alabama

SECOND EXTRAORDINARY SESSION, 1955

FIRST DAY

House of Representatives
Montgomery, Alabama
Friday, March 4, 1955

Be it remembered that on the 24th day of February, 1955, His Excellency, James E. Folsom, Governor of the State of Alabama, issued his proclamation convening the Legislature in extra session in words and figures as follows, to-wit:

A PROCLAMATION

BY THE

GOVERNOR

WHEREAS, there exists an extraordinary occasion in the State of Alabama which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Section 122 of the Constitution of Alabama of 1901:

NOW, THEREFORE, I, James E. Folsom, as Governor of the State of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the Seat of Government at the State Capitol in Montgomery, Alabama, at 12:00 o'clock Noon on Friday, March 4, 1955, and I do hereby designate the following subjects and matters to be considered and acted upon by said Legislature in extraordinary session assembled:

1. To consider the repeal of Act No. 694 of the 1951 General Acts of the Legislature of Alabama, approved September 5, 1951, commonly known as the Relative Responsibility Act.

2. Legislation to provide additional revenues to increase old age assistance benefits, or old age pensions benefits.

3. And such legislation as may be necessary to more adequately provide for the administration and payment of old age assistance or old age pensions.

4. To provide emergency appropriations to the following depart-

ments: The Attorney General; State Department of Public Safety; Secretary of State and the Executive.

5. Local Legislation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal to be affixed, and have caused this proclamation to be attested by the Secretary of State, at the Capitol, in the City of Montgomery, on this the 24th day of February 1955.

JAMES E. FOLSOM
Governor

(Seal)

ATTEST:

MARY TEXAS HURT
Secretary of State

In pursuance whereof, at the hour of 12:00 M. on Friday the 4th day of March, 1955, the Representatives in the Legislature of Alabama assembled in the Hall of the House of Representatives.

The House was called to order by the Honorable Rankin Fite, Speaker of the House of Representatives.

PRAYER

The session was opened with prayer by Reverend Comer Woodall, Pastor, Frazer Memorial Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards ^(Jefferson)	Kaul	Oden
Adams	Faulk	Kelly	Payne
Albea	Ferrell	Kendall	Perry
Ashworth	Franklin	Killough	Pirkle
Bagley	Gilchrist	Kirkham	Ramey
Bassett	Gist	Lackey	Reynolds
Boyd	Goodwyn	Law	Richardson
Bradford	Gregory	Lee ^(Barbour)	Roberts
Branyon	Grouby	Lee ^(Lawrence)	Selman
Brassell	Hain	Locke ^(Choctaw)	Shumate
Brewer	Hall	Locke ^(Perry)	Simon
Broadfoot	Haltom	Love	Solomon
Brooks	Hanby	McKay	Speaks
Brown ^(Lamar)	Hardy	McLendon	Steagall
Burkhalter	Hare	McNider	Stembridge
Callahan	Harrison	Martin	Stokes
Cornett	Harvey	Mathews	Summerlin
Cox	Hawkins	Mathison	Taylor
Crook	Hodges	Meeks	Thomas
Davis	Holliman	Molette	Tyson
Dawkins	Huddleston	Money	Vacca
deGraffenried	Hunt	Nice	Ward
Dement	Jenkins	Nolen	Windle
DeSear	Johnson ^(Elmore)	Oakley	Wood
Edwards ^(Escambia)	Johnson ^(Tallapoosa)		

A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Hunt, leave of absence was granted to Mr. McClendon because of personal illness.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Hawkins:

H. R. 1. BE IT RESOLVED by the House of Representatives, that the Clerk of the House notify the Senate that the House is now in session and is ready for the transaction of public business.

On motion of Mr. Hawkins the rules were suspended and H. R. 1 was adopted.

Also:

By Mr. Hawkins:

H.J.R. 2. BE IT RESOLVED by the House of Representatives, the Senate concurring, that a Committee of three members of the House, to be named by the Speaker of the House, and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

BE IT FURTHER RESOLVED that said Committee ascertain from the Governor if he desires to address a joint session of the Legislature and said committee report its findings back to the Legislature.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 2 was adopted.

And the Speaker named as a committee on the part of the House: Messrs. Simon, Grouby and Bagley.

Also:

By Mr. Hawkins:

H.J.R. 3. BE IT RESOLVED by the House of Representatives, the Senate concurring, that the Acts and Journals of the last session and of this session of the Legislature be printed and bound in the same volumes as the next session of the Legislature.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 3 was adopted.

Also:

By Messrs. Hawkins and Edwards (Escambia):

H.J.R. 4. BE IT RESOLVED by the House of Representatives, the Senate concurring, that each subordinate officer and employee of the Legislature shall be entitled to and allowed \$2.00 per day for expenses. Said allowance shall be paid at the same time and in the same manner out of the same funds as their compensation is now paid.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 4 was adopted.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Taylor and Killough (With Notice and Proof):

H. 1. Relating to Butler County; to provide further for the selec-

tion of the county superintendent of education, making the operation of the Act contingent upon its approval at a referendum election.
Notice and Proof H. 1.

Local Legislation No. 1

STATE OF ALABAMA
COUNTY OF BUTLER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Butler County; to provide further for the selection of the county superintendent of education, making the operation of the Act contingent upon its approval at a referendum election.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Superintendent of Education of Butler County shall be elected by the qualified electors of Butler County at the first general election held after the operative date of this Act and every four years thereafter. He shall hold office for a term of four years from the July 1 next succeeding his election and until his successor is elected and qualified. Upon the expiration of the term of the incumbent Superintendent of Education of Butler County, the Board of Education of Butler County shall appoint a qualified person to serve as Superintendent of Education of Butler County until the beginning of the term of the first Superintendent of Education of Butler County elected under the provisions of this Act. Vacancies in the office of Superintendent of Education of Butler County shall be filled for the unexpired term by appointment of the Board of Education of Butler County.

Section 2. The Superintendent of Education of Butler County shall possess all the qualifications prescribed for county superintendents of education by the general law of the State.

Act shall become operative only if expired term by appointment of the scribed for county superintendents of education by the general law of.

Section 3. The provisions of this approved by a majority of the electors of Butler County voting in a referendum to be held on the date of the next county-wide primary, special or general election, including any election held upon a proposed constitutional amendment, the governing body of Butler County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election the question shall be stated substantially as follows:

"Shall the Superintendent of Education of Butler County be elected by the electors of Butler County? Yes () No ()." If a majority of the votes cast at the election are "yes," the provisions of this Act shall become effective immediately. If amajority are "no," the Act shall have no effect.

Section 4. This Act shall be designated and known, and be cited as "The H. B. Taylor Bill."

Jan. 27-Feb. 17

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF BUTLER.

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. W. Pride Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Manager of The Butler County News, a newspaper of general circulation published in Butler County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 27, Feb. 3, Feb. 10, and Feb. 17, all in the year 1955.

R. W. PRIDE, SR.,

Sworn to and subscribed before me Feb. 21, 1955.

MARION MORGAN,
Notary Public

By Mr. Huddleston (With Notice and Proof):

H. 2. Relating to Colbert County: To abolish the office of County Commissioner of Public Schools; To establish and restore in Colbert County the office of County Superintendent of Education; To designate and appoint a County Superintendent of Education and fix his term of office; To provide for the election of his successor and successors; To provide for the term of office, qualifications, official bond, salary, compensation and allowances of the County Superintendent of Education; to define and prescribe the duties and functions of the County Superintendent of Education; To repeal Act No. 227 of the regular session of the Legislature of Alabama of 1953 relating to Colbert County, approved July 24, 1953, and all other laws and parts of laws in conflict with this Act; And to provide for a referendum election by the qualified electors of Colbert County to pass upon the question of whether they favor the adoption of the provisions of this Act.
Notice and Proof H. 2.

Local Legislation No. 1.

NOTICE OF APPLICATION FOR LOCAL LAW

Notice is hereby given that a local law applicable to Colbert County, Alabama, substantially as follows, will be applied for in the Legislature of Alabama:

A BILL
TO BE ENTITLED
AN ACT

Relating to Colbert County; To abolish the office of County Commissioner of Public Schools; to establish and restore in Colbert County the office of County Superintendent of Education; to designate and appoint a County Superintendent of Education and fix his term of office; to provide for the election of his successor and successors; to provide for the term of office, qualifications, official bond, salary, compensation and allowances of the County Superintendent of Education; to define and prescribe the duties and functions of the County Superintendent of Education; to repeal Act. No. 227 of the regular session of the Legislature of Alabama of 1953 relating to Colbert County, approved July 24, 1953, and all other laws and parts of laws in conflict with this Act; and to

provide for a referendum election by the qualified electors of Colbert County to pass upon the question of whether they favor adoption of the provisions of this Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the office of County Commissioner of Public Schools created by Act No. 227 of the Legislature of Alabama of 1953, approved July 24, 1953, is hereby abolished and the office of County Superintendent of Education is hereby established and restored in Colbert County.

Section 2. That the County Superintendent of Education of Colbert County shall have the same powers and authority and perform the same duties and functions as are now conferred upon and required of a County Superintendent of Education by the laws of Alabama.

Section 3. That J. Troy Bozeman is hereby designated and appointed as County Superintendent of Education of Colbert County for a term to begin on the effective date of this act and to run until July 1, 1957, and until his successor is elected and qualified.

Section 4. That a County Superintendent of Education of Colbert County shall be elected at the general election to be held on the first Tuesday after the first Monday in November, 1956, and at the general election every fourth year thereafter, by the qualified voters of Colbert County, and shall hold office for a term of four years, beginning on the first day of July following his election and until his successor is elected and qualified.

Section 5. That the County Superintendent of Education of Colbert County shall possess the same qualifications and shall receive the same salary, compensation and allowances as are now required of and provided for county superintendents of education by the law of Alabama; and his official bond shall be fixed and approved in the manner provided by Section 76 of Title 41 of the Code of Alabama of 1940, as amended.

Section 6. That Act No. 227 of the regular session of the Legislature of Alabama of 1953 relating to Colbert County, Alabama, approved July 24, 1953, and entitled "An Act Relating to Colbert County, abolishing the office of County Superintendent of Education, and creating the office of County Commissioner of Public Schools in lieu thereof; providing for the election, term of office, duties and powers, and compensation of the County Commissioner of Public Schools, and conferring upon the Commissioner the power, duties and functions of the County School Building Commission," and all other laws and parts of laws in conflict herewith, be, and the same are hereby, repealed.

Section 7. Section 7 of this Act shall become effective upon the approval of this Act by the Governor, or its otherwise becoming a law, but the other provisions of this Act shall not become effective unless a majority of the qualified electors of Colbert County voting in the election hereinafter provided to be held in Colbert County shall vote to adopt the provisions of this Act.

A special election is hereby called and shall be held in Colbert County on the first Tuesday following the expiration of thirty days after the approval of this Act by the Governor, or its otherwise becoming a law. Notice of such election shall be given by the Sheriff of Colbert County not less than fifteen days before the date of said election. Except as herein otherwise provided, said election shall be held and conducted, the returns thereof made, the voters canvassed, the results declared certificates given, and it shall be regulated in all respects, in accordance with the provisions of the law of Alabama relating to general elections.

On the ballot to be used at said election the question shall be: "Do you favor the adoption of the provisions of Act No. _____ of the Legislature of Alabama (H— by Huddleston) approved _____ 1955?" (The appropriate numbers and date to be inserted).

If a majority of the votes cast at such election shall be in favor of the proposal to adopt the provisions of this Act, this Act shall become effective immediately upon the filing of the declaration of the result of the election in the office of the probate judge, but if a majority of the votes cast at such election shall be against said proposal, this Act shall have no effect.
1-27-4t.

STATE OF ALABAMA,
COLBERT COUNTY

Before me the undersigned in and for said county in said state, this day personally appeared W. F. Miller, who being by me duly sworn, deposes and says that he is the publisher of the Colbert County Reporter, which is and has been during the time herein mentioned, a newspaper of general circulation published in Tuscumbia, Colbert County, Alabama, and that a certain notice, of which the foregoing and attached notice is a true copy, was published in the issues of said newspaper once a week for four consecutive weeks, appearing in said newspaper published on the 27th of January, 1955, and February 3, 10 and 17th, 1955.

W. F. MILLER

Sworn to and subscribed before me this 18th day of February, 1955.

FRANCES DiRAGO
Notary Public

By Messrs. Law, Johnson (Elmore), and Speaks:

H. 3. Relating to the Nineteenth Judicial Circuit; authorizing the circuit solicitor to appoint a stenographic secretary, and providing for the payment of such secretary's compensation by the counties composing the circuit.

Judiciary.

By Mr. Steagall (With Notice and Proof):

H. 4. To alter, rearrange, and extend the boundaries of the City of Ozark in Dale County.
Notice and Proof H. 4.

Local Legislation No. 1.

NOTICE

STATE OF ALABAMA,
DALE COUNTY.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the boundaries of the City of Ozark in Dale County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries of the City of Ozark in Dale County are hereby altered, rearranged, and extended on the south and southwest to include within the corporate limits of the City of Ozark the following described property.

SE1/4 of SE 1/4 of Section 32, all of Section 33, and all of SW1/4 of SW1/4 of Section 34, all in Township 6 North, Range 24 East; S-one-half of SE1/4 of NW 1/4, NE 1/4 of SW1/4, and all of NE1/4 all in Section 5, Township 5 North, Range 24 East; W-one-half of NW1/4, NE1/4 of NW1/4, N-one-half of SE1/4 of NW1/4 N-one-half of SW1/4 of NE1/4, NW1/4 of NE1/4 and E-one-half of NE1/4, all in Section 4, Township 5, North, Range 24 East; and W-one-half of NW1/4 and N-one-half of NW1/4 of SW1/4, all in Section 3, Township 5, North Range 24 East.

Section 2. The boundaries of the City of Ozark in Dale County are hereby altered, rearranged, and extended on the Southeast to include within the corporate limits of the City of Ozark the following described property:

E-one-half of SE1/4 of Section 3, SW1/4 of SW1/4 of SW1/4 of Section 2, NE 1/4 of NE1/4 of Section 10, W-one-half of NW1/4 of Section 11, and SE1/4 of NW1/4 of Section 11, all in Township 5, North, Range 24 East.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 4t

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF DALE.

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 3, 10, 17, and 24, 1955, all in the year 1955.

JOHN Q. ADAMS

Sworn to and subscribed before me March 2, 1955.

ONNIE CARD
Notary Public

By Messrs. Richardson and Ramey:

H. 5. To levy a trial tax of twenty-five dollars (\$25) in divorce cases in addition to all other such taxes heretofore imposed by law, dedicating the proceeds of such tax for old age pension purposes.

Judiciary.

By Messrs. Solomon, Mathison, Payne, Johnson (Tallapoosa), Harvey, McLendon, Cornett, Love, Brooks, Dickson, Wood, Oakley, Ward, Hardy, Hain, Brassell, Gilchrist, Stembridge, Thomas, Kendall, Stokes, Edwards (Escambia), Hall, Brewer, Brannan, Killough, Taylor, Bassett, Boyd, Kirkham, Nettles, McNider, Bradford, Faulk, Grouby, Hodges, Franklin, Brown (Lamar), Summerlin, Locke (Choctaw), Crook, Richardson, Windle, Harrison, Pruitt,

Mathews, Jenkins, McClendon, Ferrell, Oden, Lee (Lawrence), Lackey, Martin, Locke (Perry), Branyon, Holliman, Hawkins, Burkhalter, Adams, Hunt, Roberts, McKay, Perry, Bagley, Lee (Barbour), Pirkle, Ramey, Meeks, Haltom, Kelly, Gist, Dement, Molette, Law, Cox, Ashworth, Johnson (Elmore), Callahan, deGraffenried, Speaks, Reynolds, Edwards (Jefferson) and Vacca:

H. 6. To amend Act No. 323, H. 35, approved August 2, 1949, which provides for a refund of a portion of the state tax paid on gasoline used to propel tractors (1949 Acts 469).

TRANSPORTATION

By Messrs. Reynolds and Roberts (With Notice and Proof):

H. 7. To authorize and empower the Register of the Circuit Court in Equity of Madison County, Alabama, to appoint a Chief Clerk, and to fix the salary and to provide the method of payment of salary of said Chief Clerk.

Notice and Proof H. 7.

Local Legislation No. 1.

STATE OF ALABAMA, COUNTY OF MADISON.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize and empower the Register of the Circuit Court in Equity of Madison County, Alabama, to appoint a Chief Clerk, and to fix the salary and to provide the method of payment of salary of said Chief Clerk.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Register of the Circuit Court in Equity of Madison County, Alabama is hereby authorized and empowered to appoint a Chief Clerk, to hold office at the pleasure of the Register of the Circuit Court in Equity of Madison County, Alabama.

Section 2. That said Chief Clerk, so appointed, shall be paid a salary not less than One Hundred Fifty Dollars per month, and not more than two hundred fifty dollars per month, payable monthly, said salary to be fixed by the County Commission of Madison County, Alabama.

Section 3. That the County Commission of Madison County, Alabama is hereby authorized and required to draw warrants in favor of said Chief Clerk, payable out of the General Funds of said County, upon proper claim being made.

Section 4. Should any section, clause or provision of this act be declared unconstitutional, the same shall not affect the remaining sections, clauses or provisions of this act.

Section 5. That this Act shall take effect immediately upon its passage and approval by the Governor.

Feb. 1, 8, 15 & 22, 1955.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF MADISON.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charley W. Holder, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 1, 8, 15, and 22, 1955, all in the year 1955.

CHARLIE W. HOLDER
Sec.-Treasurer

Sworn to and subscribed before me February 23, 1955.

OPAL H. DILWORTH
Notary Public

By Mr. Fite (With Notice and Proof):

H. 8. Relating to Marion County: To authorize the county governing body to employ an industrial development agent for the County, fix his term of employment and compensation, and prescribe his duties.
Notice and Proof H. 8.

Local Legislation No. 1.

STATE OF ALABAMA,
COUNTY OF MARION.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marion County: To authorize the county governing body to employ an industrial development agent for the County, fix his term of employment and compensation, and prescribe his duties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The governing body of Marion County, Alabama, is hereby authorized and empowered to employ an industrial development agent for the County, fix his term of employment and compensation and prescribe his duties, provided that such term of employment shall be for not less than two nor more than four years from the effective date of this act. The compensation and expense of the County industrial development agent shall be paid out of the general fund of the County.

Sec. 2. The Mayors of the incorporated Towns within Marion County, Alabama, shall nominate a man to be industrial development agent for the County and the governing body of Marion County, Alabama, shall pick such agent from among those so nominated by the Mayors of said Towns.

Sec. 3 This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.
411-28-

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF MARION.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Emma C. McKenzie, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 28, Feb. 3, Feb. 10, and Feb. 17, all in the year 1955.

EMMA C. McKENZIE

Sworn to and subscribed before me February 28, 1955.

Z. E. WATSON,
Notary Public,
Marion County, Alabama

By Mr. Fite (With Notice and Proof):

H. 9. Relating to Marion County: To establish the Marion County Court; to define its jurisdiction and powers; to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge to fix the time of sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the county court for Marion County and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Marion County.

Notice and Proof H. 9.

Local Legislation No. 1.

STATE OF ALABAMA,
COUNTY OF MARION.

NOTICE is hereby given that a bill, substantially as follows, will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marion County: To establish the Marion County Court; to define its jurisdiction and powers, to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge to fix the time of sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the county court for Marion County and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Marion County, and causes pending in the Marion County Court.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby established in and for Marion County a court of law and equity, which shall be called the Marion County Court.

Sec. 2. (a) The court hereby established shall be a court of record and shall have and exercise the following jurisdiction, authority and powers:

(1) Exclusive jurisdiction of matters triable in the county court under general laws.

(2) Unlimited jurisdiction concurrent with the circuit court of such county in all civil and equity matters, including the power and authority to grant divorces, either limited or absolute, to award alimony and effect property settlements in connection with such divorces, and to determine the custody of children.

(3) To issue any and all special and extraordinary writs that the circuit courts or the judges thereof are authorized to issue.

(4) All other powers and authority that are or that may hereafter be conferred upon the circuit courts or the judges thereof, including the power to punish for contempt, unless otherwise provided in this Act.

(b) In all civil and equity cases in which both parties to the action are present in court, either in person or by attorney, if no specific objection to the jurisdiction of the court is raised by the defendant by plea, answer, or demurrer, the jurisdiction of the court shall be deemed complete and cannot thereafter be questioned in any other court for any cause.

Sec. 3. Immediately after this Act becomes effective the Governor shall appoint a judge of the court who shall hold office until the first Monday after the second Tuesday in January, 1961. At the general election in 1960, and every six years thereafter, a judge of the court shall be elected for a term of six years beginning on the first Monday after the second Tuesday in January next following his election. The judge of this court shall before entering upon the duties of the office take the oath prescribed by law to be taken by judges of the circuit courts in Alabama. The judge of the court shall be a qualified elector of the county, not less than twenty-five years of age, and shall be learned in the law. He shall devote his entire time to the duties of his office, and shall be barred from the practice of law during his term as judge of the court hereby established. He may be removed from office in the manner and for the causes now provided by law for the removal of circuit judges.

Section 4. The clerk of the circuit court of the county shall be by virtue of his office clerk of the Marion County Court hereby established, and shall have the same powers and discharge the same duties as clerks of the circuit courts. He shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees, commissions and emoluments as are now or as may hereafter be allowed to circuit clerks of Alabama, which shall be collected as such fees and commissions are collected in the circuit courts, except that in civil matters where suit is brought for one hundred dollars (\$100.00) or less, only the fees and commissions allowed by law to justices of the peace shall be collected. The register of the circuit court in equity shall by virtue of his office be the register of the Marion County Court, and shall have the powers and discharge the duties which shall devolve upon the register of the Marion County Court. He shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees and commissions as are now, or as may hereafter be allowed to the registers of circuit courts in equity, which

shall be collected as such fees and commissions are collected in circuit courts.

Sec. 5. The judge of the Marion County Court shall receive a salary of four thousand eight hundred dollars (\$4,800) per annum, payable in equal monthly installments out of the county treasury.

Sec. 6. The county or deputy solicitor appointed or elected for the county shall represent the State in all criminal cases in said court.

Sec. 7. The Marion County Court shall be held at the court house of the county, and shall be open at all times for the transaction of business. In case of sickness or disqualification of the judge of the court, the law applicable to the appointment and service of special judges in the circuit court shall apply. The judge of this court shall be subject to the same penalties for failure to attend upon court as are circuit judges of this State. The judge of the court shall keep an office in the court house of the county, or at such other suitable place as may be provided by the court of county commissioners, board of revenue or other governing body of the county. It shall be the duty of the governing body of the county to provide such office and supply the same with telephone service and office supplies. Such office furniture, furnishings, fixtures, law library and equipment as may be necessary to enable the judge of said court efficiently to conduct the affairs of his office shall be provided by the State Department of Finance.

Sec. 8. The judge of the court may determine and fix the time of holding sessions of the court for the trial of all cases, criminal, civil and equity; provided that all cases shall be called for trial at least once every thirty days. However, this section shall not be construed to prevent the continuance of any case in said court, by agreement of counsel or the parties on good cause shown the court, and when any cause is so continued to a specific time either for a cause shown to the court, or by agreement of the parties or counsel, it shall not be necessary to call said case until the expiration of the time to which it has been continued. And provided further, that the court shall have the right and power to call extraordinary session of said court whenever in the judgement of the court the same are necessary.

Sec. 9. All cases tried in the Marion County Court shall be tried by the judge without a jury. The judge shall decide all questions of law and fact. Any party aggrieved by a decision in any civil case cognizable by justices of the peace may appeal at any time within five days after rendition of the judgment, to the circuit court, in the manner provided for appealing judgments rendered by justices of the peace. In any other civil case, if the defendant is entitled to a trial by jury under the Constitution, he may demand a jury trial by endorsement on the initial pleading filed and thereupon the clerk of the court shall transfer the cause to the circuit court. Upon such transfer, the jurisdiction of the circuit court shall attach in said cause, and the jurisdiction of the Marion County Court shall cease and terminate. The cause shall then stand regularly for trial in the circuit court. Unless a defendant demands a jury as herein provided, he shall be deemed to have waived a trial by jury; and the court shall make an entry thereof on the record and shall proceed to hear and determine the case.

Sec. 10. Appeals from judgments of the Marion County Court in law and equity cases may be taken directly to the Supreme Court or the Court of Appeals in the same manner and within the same time that appeals are now taken from judgments in such cases in the circuit courts of the State.

Sec. 11. Upon conviction in a criminal case, the defendant shall have the right of appeal to the circuit court of the county, on entering into bond, with sufficient surety, to appear at the term of the court to which the appeal is taken, and from term to term until discharged, the bond to be in such penalty as the judge of the court may prescribe, and to be approved by the judge or clerk of the court. If the defendant does not make the bond required, he shall remain in custody and may, within ten days after taking said appeal, demand a trial by jury in the circuit court; otherwise, said case shall be tried by the court without a jury.

Sec. 12. All cases on the nonjury docket and all cases on the equity docket now or hereafter pending in the Circuit Court of Marion County may, by agreement of the parties thereto, be transferred from the Circuit Court to the Marion County Court. Likewise, all cases on the non-jury docket, and on the equity docket now or hereafter pending in the Marion County Court may by agreement of the parties thereto, be transferred from the Marion County Court to the Circuit Court of Marion County. In all cases, non-jury and equity, now or hereafter pending in the Circuit Court of Marion County, wherein a judgment by default, nil dicit, or decree pro confesso has been rendered, the same may be transferred from the circuit court to the Marion County Court for final judgment or decree on motion of the plaintiff or complainant. In all cases, non-jury and equity, now or hereafter pending in the Marion County Court, wherein a judgment by default, nil dicit, or decree pro confesso has been rendered, the same may be transferred from the Marion County Court to the Circuit Court for final judgment or decree on motion of the plaintiff or complainant.

Sec. 13. The judge of the Marion County Court shall have plenary power to adopt and enforce rules governing pleading, practice and procedure in the court, including the right to prescribe forms therefor. He may adapt to the needs of the court and incorporate into the rules of the court any or all rules relative to pleading, practice, and procedures in the federal courts and the courts of other states, and such rules when adopted and promulgated shall have the force and effect of law, and shall supersede conflicting rules governing pleading, practice and procedure in other courts in the State. The rules of practice and procedure in the circuit courts of the State shall govern the pleadings, practice and procedure in the court hereby established, except as herein otherwise provided.

Sec. 14. The sheriff of the county shall in person or by deputy or deputies appointed by him, said appointment to be approved by the judge of said court attend upon the court, preserve order, execute all writs of process and perform such other duties in all respects as in the circuit court of this State. For service of the processes of the court, the sheriff shall receive such compensation as he receives under the law of the State of Alabama, or any laws enacted in the future by the legislature of Alabama, for the compensation of the sheriff for similar services in the circuit court, except as herein otherwise provided.

Sec. 15. The judge of the Marion County Court shall adopt a seal for the law side of the court, which shall be kept in the custody and under the control of the clerk of the court.

Sec. 16. The judge of the Marion County Court shall adopt a seal for the equity side of the court, which shall be kept in the custody and under the control of the register of the court.

Sec. 17. The judge of the court shall appoint a competent person capable of taking the proceedings of said court in shorthand as the official reporter for the court. The court reporter shall be removable

at the discretion of the judge. His duties shall be the same as those required by law of reporters for the circuit courts of the State, and he shall receive the same rate of compensation for transcribing the testimony or other proceedings as is now provided for the circuit court reporter, and shall also receive five dollars (\$5.00) per day for each day or fraction thereof he is engaged in taking testimony or other proceedings of the court.

Sec. 18. It shall be the duty of the clerk of the court to keep a record upon which shall be recorded all affidavits made before the judge or clerk of said court, or returnable by a justice of the peace or judge of an inferior court in the county to the court; and if any affidavit should be lost or destroyed, a certified copy of the record shall be used the same as the original affidavit. For recording each affidavit the clerk shall receive a fee of seventy-five cents to be taxed as costs in case of the defendant's conviction.

Sec. 19. The county court for Marion County is hereby abolished. The jurisdiction and authority formerly vested in the county court is hereby transferred to and shall hereafter be exercised by the Marion County Court. All cases pending in the county court for Marion County when this Act becomes law shall immediately become pending upon the docket of the Marion County Court as though originally brought in said court.

Sec. 20. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Sec. 21. All laws or parts of laws which conflict with this Act are repealed.

Section 22. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming law
4t-1-28-

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Emma C. McKenzie, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama; said notice having appeared in the issues of said paper on Jan. 28, Feb. 3, Feb. 10, and Feb. 17, all in the year 1955.

EMMA C. McKENZIE

Sworn to and subscribed before me February 28, 1955.

Z. E. WATSON,
Notary Public,
Marion County, Alabama

By Mr. Fite (With Notice and Proof):

H. 10. Relating to Marion County: To provide further for the distribution of fines and forfeitures in certain cases.

Notice and Proof H. 10.

Local Legislation No. 1.

STATE OF ALABAMA
COUNTY OF MARION.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marion County: To provide further for the distribution of fines and forfeitures in certain cases.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction within Marion County of violations of the rules of the road, or the laws of this State relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid into the fine and forfeiture fund of Marion County, and the remainder shall be remitted by the proper authority to the State Treasurer who shall credit the same to the proper fund in the State Treasury.

Sec. 2. All laws or parts of laws which conflict with this Act are repealed.

Sec. 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

4t-1-28

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF MARION.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Emma C. McKenzie, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks, without cost to the State of Alabama said notice having appeared in the issues of said paper on Jan. 28, Feb. 3, Feb. 10, and Feb. 17, all in the year 1955.

EMMA C. McKENZIE

Sworn to and subscribed before me February 28, 1955.

Z. E. WATSON,
Notary Public,
Marion County, Alabama

By Messrs. Murphy and Simon (With Notice and Proof):

H. 11. Relating to Mobile County; withdrawing and taking away from justices of the peace and notaries public ex officio jurisdiction in certain cases; forbidding justices of the peace and notaries public ex officio to exercise any jurisdiction in criminal or quasi-criminal cases of garnishment and attachment proceedings, making it a misdemeanor for a justice of the peace or notary ex officio, his agent or clerk, to issue

a writ of garnishment or attachment, and prescribing a penalty therefor declaring that a writ of garnishment or attachment issued by a justice shall be null and void; and transferring pending cases and proceedings to the Inferior Criminal Court of Mobile County.

Notice and Proof H. 11.

Local Legislation No. 1.

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF MOBILE,

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Mobile County; withdrawing and taking away from justices of the peace and notaries public ex officio jurisdiction in certain cases; forbidding justices of the peace and notaries public ex officio to exercise any jurisdiction in criminal or quasi-criminal cases of garnishment and attachment proceedings, making it a misdemeanor for a justice of the peace or notary ex officio, his agent or clerk, to issue a writ of garnishment or attachment, and prescribing a penalty therefor; declaring that a writ of garnishment or attachment issued by a justice shall be null and void; and transferring pending cases and proceedings to the Inferior Criminal Court of Mobile County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Justices of the peace and notaries public with powers of justices of the peace in Mobile County now acting or hereafter appointed or elected shall have no jurisdiction, either final or for the purpose of binding over to await the action of the grand jury, in any criminal or quasi-criminal case, nor in any garnishment or attachment proceeding.

Section 2. All criminal and quasi-criminal cases and all garnishment or attachment proceedings pending in any justice of the peace court of any court of a notary public with powers of a justice of the peace in Mobile County shall be transferred forthwith by the justice or notary to the Inferior Criminal Court of Mobile County, and shall proceed as if begun therein.

Section 3. All process of attachment, including garnishment and all attempts to institute such processes, in courts of justices of the peace in Mobile County shall be absolutely void and of no effect, and any justice of the peace, any notary public with powers of a justice of the peace or the agent or clerk of any justice of the peace or notary ex officio who issues a writ of attachment, including garnishment, in contravention of this act shall be guilty of a misdemeanor, and upon conviction shall be liable to a penalty of one hundred dollars (\$100), one-half thereof to the use of the defendant in the attachment or garnishment and the remainder to the use of Mobile County.

Section 4. Nothing in this Act shall be construed to limit the jurisdiction of the Inferior Civil Court of Mobile, the Inferior Criminal Court of Mobile County, the Civil Division of the Inferior Criminal Court of Mobile County or recorder of any municipality.

Section 5. All laws in conflict herewith are hereby repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved:

M. THOMAS MURPHY

OTTO E. SIMON

Reg., 1-15, 22, 29, 2-5

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF MOBILE.

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. M. Curran, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was auditor of The Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 15, January 22, January 29, and February 5, all in the year 1955.

W. M. CURRAN

Sworn to and subscribed before me February 7, 1955.

ALVIN A. JOHNSON

Notary Public

By Messrs. Murphy, Simon and Tyson (With Notice and Proof):

H. 12. To authorize the County Treasurer of Mobile County to appoint an Assistant Treasurer of Mobile County; to provide the qualifications of such Assistant Treasurer, the term of office of such Assistant Treasurer, the duties to be performed by such Assistant Treasurer; the bond required of such Assistant Treasurer, and the method of paying the premium of such bond; the compensation of such Assistant Treasurer, and the manner and method of the payment thereof; and fixing the time at which said Act shall go into effect.

Notice and Proof H. 12.

Local Legislation No. 1.

LEGAL NOTICE

Notice is hereby given that application will be made to the Alabama State Legislature for the passage of an act which will be in substance as follows:

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The County Treasurer of Mobile County shall be and is hereby authorized and empowered to appoint one Assistant Treasurer of Mobile County.

Section 2. Such Assistant Treasurer of Mobile County shall be at all times during his or her tenure of office a qualified elector of Mobile County.

Section 3. Such assistant Treasurer shall be appointed by and serve at the will of the Treasurer of Mobile County.

Section 4. Such Assistant Treasurer shall perform such duties as may be prescribed by the County Treasurer, including assisting the

County Treasurer in the general administration of the County Treasurer's Office; in the keeping of the books, accounts and records of the County Treasurer's Office, and in preparing reports for and fulfilling other requirements of the United States Government.

Section 5. Such Assistant Treasurer shall, before entering into the discharge of the duties imposed by this Act, give bond in the sum of Ten Thousand (\$10,000.00) Dollars, to be approved in the manner required by law, with the premium therefore to be paid by the County of Mobile.

Section 6. The compensation of such Assistant Treasurer shall be not less than Three Thousand Six Hundred (\$3,600.00) Dollars per year nor more than Four Thousand Eight Hundred (\$4,800.00) Dollars per year, at the discretion of the County Treasurer, and shall be paid in equal monthly installments from the County Treasury of Mobile County.

Section 7. This act shall take affect immediately upon its passage and approval or upon its otherwise becoming a law.

Approved:

M. THOMAS MURPHY
OTTO E. SIMON

Reg. Feb. 1, 8, 15, 22

W. M. Curran being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and that the attached notice appeared in the issue of The Mobile Register Feb. 1, 8, 15, 22, 1955.

W. M. Curran

Sworn to and subscribed before me this 28th day of February, 1955.

ALVIN A. JOHNSON,
Notary Public

By Messrs. Simon and Murphy (With Notice and Proof):

H. 13. To extend the term of office of the members of the Board of Revenue and Road Commissioners of Mobile County, Alabama, for a period of two years from the expiration of their present term of office; to provide how, when and for what term of office their successors shall be elected and to repeal only those laws, or parts of laws, which are in conflict herewith.

Notice and Proof H. 13.

Local Legislation No. 1.

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To extend the term of office of the members of the Board of Revenue and Road Commissioners of Mobile County, Alabama, for a period of two years from the expiration of their present term of office; to provide how,

when and for what term of office their successors shall be elected and to repeal only those laws, or parts of laws, which are in conflict herewith.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the term of office of each member of the Board of Revenue and Road Commissioners of Mobile County, Alabama, shall be and same hereby is extended for a period of two years from the expiration of their present term of office; the incumbent to hold office until his successor is elected and qualified.

Section 2. There shall be elected at the General Election in November, 1960, and every four years thereafter, by the qualified electors of Mobile County, five members of the Board of Revenue and Road Commissioners of Mobile County. Three of said commissioners shall at the time of such election and while holding such office be qualified electors of and residents in the first revenue and road district of said County; one of said commissioners shall at the time of such election and while holding such office be a qualified elector of and resident in the second revenue and road district of said county, and one of said commissioners shall at the time of such election and while holding such office be a qualified elector of and resident in the third revenue and road district of said county.

Section 3. Except as herein otherwise provided, the members of the Board of Revenue and Road Commissioners of Mobile County shall be elected, take and hold office and perform their duties as same are now or may hereafter be fixed by law.

Section 4. Only those laws or parts of laws in conflict herewith are by this act repealed hereby.

Section 5. This act shall be effective from and after its passage and approval, or its otherwise becoming law.

Approved:

M. THOMAS MURPHY
OTTO E. SIMON
GARET VAN ANTWERP

Reg., Feb. 1, 8, 15, 22

W. M. Curran being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issue of The Mobile Register February 1, 8, 15, 22, 1955.

W. M. CURRAN

Sworn to and subscribed before me This 22nd day of Feb., 1955.

ALVIN A. JOHNSON,
Notary Public

By Messrs. Murphy, Simon and Tyson (With Notice and Proof):

H. 14. Relating to Mobile County; to confer additional civil jurisdiction upon the Inferior Criminal Court of Mobile County.

Notice and Proof H. 14.

Local Legislation No. 1.

LEGAL NOTICE

**STATE OF ALABAMA,
COUNTY OF MOBILE.**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Mobile County; to confer additional civil jurisdiction upon the Inferior Criminal Court of Mobile County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In addition to all other jurisdiction now had and exercised by the Inferior Criminal Court of Mobile County this Court shall have and exercise civil jurisdiction in Mobile County concurrently with the Circuit Court of Mobile County in all civil matters where the amount in controversy or the value of personal property in controversy does not exceed five hundred dollars. The Court shall not have jurisdiction in equity nor of actions of libel, slander, assault and battery ejection and actions in the nature of ejection. Nothing in this Act shall be construed to give the judge of the Inferior Criminal Court any authority to grant writs of certiorari, supersedeas quo warranto, prohibition, mandamus, injunction or ne exeat.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved:

M. THOMAS MURPHY
OTTO E. SIMON

Reg., 1-15, 22, 29, 2-5

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF MOBILE.

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. M. Curran, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Auditor of The Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 15, January 22, January 29, and February 5, all in the year 1955.

W. M. CURRAN

Sworn to and subscribed before me February 7, 1955.

ALVIN A. JOHNSON,
Notary Public

By Messrs. Simon, Murphy, and Tyson (With Notice and Proof):

H. 15. Relating to Mobile County: To amend an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), as amended, entitled "An Act To place the Sheriff of Mobile County,

Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer," to provide for the compensation of the chief deputy sheriff; to provide for the appointment and compensation of an assistant chief deputy sheriff and a chief clerk in the office of the sheriff; and to provide for the official bond of the chief deputy sheriff, assistant chief deputy sheriff, and the chief clerk.

Notice and Proof H. 15.

Local Legislation No. 1.

LEGAL NOTICE

STATE OF ALABAMA, COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Mobile County: To amend an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), as amended, entitled "An Act To Place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer," to provide for the compensation of the chief deputy sheriff; to provide for the appointment and compensation of an assistant chief deputy sheriff and a chief clerk in the office of the sheriff; and to provide for the official bond of the chief deputy sheriff, assistant chief deputy sheriff, and the chief clerk.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 3 of an Act approved June 28, 1940, (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "An Act to Place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to

provide for the necessary equipment and supplies for said officer." as amended, is amended further to read as follows:

"The Sherriff of Mobile County, Alabama, may, after the effective date of this act, employ the following assistants at the following rate of compensation, viz: One (1) chief deputy sheriff to receive five thousand (\$5,000) dollars per annum; one assistant chief deputy sheriff to receive forty-eight hundred (\$4,800) dollars per annum; not less than eight (8) civil and criminal deputy sheriffs to receive not less than fifteen hundred (\$1,500) dollars each per annum; one (1) civil and criminal deputy sheriff, who shall also act as bailiff of the Inferior Court of Mobile County, Alabama, to receive not less than fifteen hundred (\$1,500) dollars per annum; three (3) part-time deputy sheriffs to receive not less than six hundred (\$600) dollars each per annum; not less than four (4) jail guards to receive not less than fifteen hundred (\$1500) dollars each per annum; one chief clerk to receive forty-two hundred (\$4200) dollars per annum; one (1) office employee to receive not less than eighteen hundred (\$1,800) dollars per annum; two (2) office employees to receive not less than fifteen hundred (\$1500) dollars each per annum; one (1) office employee to receive not less than nine hundred (\$900) dollars per annum; one (1) jail matron to receive not less than one thousand (\$1000) dollars per annum; one (1) kitchen steward to receive not less than nine hundred (\$900) dollars per annum. Each of the foregoing assistants shall receive their compensation in equal monthly installments upon warrants drawn in the same manner as other employees of Mobile County. The power and authority to fix the salaries of each and every assistant herein provided for above the minimum amounts named in this section is hereby conferred on the Personnel Board of the Civil Service System of Mobile County, Alabama; and all assistants affected hereby, except the chief deputy sheriff, the assistant chief deputy sheriff, and the chief clerk, shall be subject to all the terms and provisions of the Civil Service Act relating to Mobile County, said act having been passed at the 1939 Session and being House Bill No. 952 and having been approved September 15, 1939. The chief deputy sheriff, the assistant chief deputy sheriff, and the chief clerk shall each give bond in an amount to be determined by the Sheriff, such bond to be conditioned as prescribed by law. Nothing herein contained shall be construed as depriving the Personnel Board of the Civil Service System of Mobile County, Alabama, of authority to provide additional assistants for the Sheriff of Mobile County, Alabama."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved:

M. THOMAS MURPHY,
OTTO E. SIMON

Reg. Feb. 10, 17, 24, Mch. 3

W. M. Curran being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and that the attached notice appeared in the issue of The Mobile Register Feb. 10, 17, 24, Mar. 3, 1955.

W. M. CURRAN

Sworn to and subscribed before me This 3rd day of March 1955.

ALVIN A. JOHNSON,
Notary Public

By Messrs. Simon, Murphy, and Tyson (With Notice and Proof):

H. 16. To establish in Mobile County, Alabama, the positions of Administrative Assistant to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama and Legal Stenographer to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama; to prescribe their duties; to fix their term of employment and to prescribe their compensation and provide for the payment of their compensation out of the General Fund of Mobile County, Alabama.

Notice and Proof H. 16

Local Legislation No. 1

LEGAL NOTICE

STATE OF ALABAMA, MOBILE COUNTY.

Notice is hereby given that the following local bill, in substance, will be introduced in the Legislature of Alabama, for passage.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That in Mobile County, Alabama, there is hereby established the position of administrative Assistant to the Circuit Solicitor of the thirteenth Judicial Circuit and the position of legal Stenographer to the Circuit Solicitor of the Thirteenth Judicial Circuit.

Section 2. The Administrative Assistant to the Circuit Solicitor of the Thirteenth Judicial Circuit shall and is hereby empowered to report all the proceedings of the Grand Juries of said circuit; shall report all hearings in the Inferior Courts and Recorders' Courts of said Circuit when directed to do so by the Circuit Solicitor; shall keep all official records in connection with said office and shall perform any and all duties in connection with the office of the Circuit Solicitor and under the direction of the Circuit Solicitor as the office may require. The Legal Stenographer to the Circuit Solicitor shall perform the stenographic and clerical duties of the office of the Circuit Solicitor and perform any and all duties in connection with the office of the Circuit Solicitor and under the direction of the Circuit Solicitor as the office may require.

Section 3. The Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama is hereby empowered to appoint the said administrative Assistant to the Circuit Solicitor and the said Legal Stenographer to the Circuit Solicitor who shall serve in such positions at the pleasure of the Circuit Solicitor.

Section 4. The Administrative Assistant of the Circuit Solicitor shall receive as compensation for such services the sum of forty-eight hundred dollars annually and the Legal Stenographer to the Circuit Solicitor shall receive as compensation for such services the sum of thirty-six hundred dollars annually, payable in equal monthly installments out of the General Fund of Mobile County, Alabama.

Section 5. The provisions of any existing Merit System or Civil Service law shall not be applicable to such Administrative Assistant to the Circuit Solicitor and Legal Stenographer to the Circuit Solicitor and the provisions of any law local or general in conflict with any of the provisions of this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Approved:

OTTO E. SIMON
GARET VAN ANTWERP
3rd Mobile Post:

Feb. 4, 11, 18, 25, 1955

STATE OF ALABAMA,
COUNTY OF MOBILE.

Before me, the undersigned authority in and for said State and County, personally appeared Anna Nora Hallett, who, being by me first duly sworn, did depose and say as follows:

My name is Anna Nora Hallett, I am Business Manager of The Mobile Post, a newspaper printed and published in the City of Mobile, County of Mobile, State of Alabama, and have the authority to make this affidavit. I further certify that the attached publication was duly made in The Mobile Post in its issues of Feb. 4, 11, 18, 25, 1955, and that the attached copy is a true and correct copy of the notice as the same appeared in said issues of said newspaper.

ANNA NORA HALLETT

Sworn to and subscribed before me on this the 25 day of February, 1955.

CURTIS F. WOODY,
Notary Public,
Mobile County, Alabama

My Commission Expires Dec. 8, 1957.

By Messrs. Simon and Murphy:

H. 17. To prescribe additional qualifications for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

Judiciary.

By Messrs. Simon, Murphy, and Tyson:

H. 18. To provide for appointment of official court reporters of the circuit courts in those circuits which are now, or which may hereafter, be composed of only one county and having not less than four nor more than nine circuit judges; to provide for their qualifications, to fix their compensation, to define their duties and provide for the appointment of special reporters in such cases; and to repeal all laws which may be in conflict herewith.

Judiciary.

By Messrs. Murphy and Simon:

H. 19. To extend the term of office of Commissioner of Licenses in all counties of this State having a population of not less than 235,000 nor more than 400,000, according to the last or any subsequent Federal census, for a period of two years from the expiration of their present term of office; to provide how, when and for what term of office their successors shall be elected and to repeal only those laws, or parts of law, which are in conflict herewith.

Local Legislation No. 1.

By Messrs. Simon and Murphy:

H. 20. To extend the term of the office of coroner in all counties of this State having a population of not less than 235,000 inhabitants nor more than 400,000 inhabitants, according to the last or any subsequent decennial federal census, for a period of two years from the expiration of their present term of office; and to provide for the election and term of office of their successors.

Local Legislation No. 1.

By Messrs. Meeks, Nice and Vacca:

H. 21. To amend Section 27, Title 10, Code of Alabama (1940), which relates to corporations.

Judiciary.

By Messrs. Goodwyn, Dawkins, Hall and Nolen:

H. 22. To amend Section 255 of Title 13, Code of Alabama (1940), which relates to assistance for the circuit solicitor of the fifteenth judicial circuit.

Ways and Means.

By Messrs. Cornett and Brassell (With Notice and Proof):

H. 23. Relating to Russell County; providing for the reidentification of each qualified elector of Russell County; requiring the board of registrars to purge the list of registered voters; and providing a penalty for wilfully making a false statement in connection with reidentification.

Notice and Proof H. 23.

Local Legislation No. 1.

STATE OF ALABAMA,
COUNTY OF RUSSELL.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Russell County; providing for the reidentification of each qualified elector of Russell County; requiring the board of registrars to purge the list of registered voters; and providing a penalty for wilfully making a false statement in connection with reidentification.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of registrars in Russell County is hereby directed to purge all lists of the qualified electors in the county to the end that the names of all who are deceased or non-residents of the county, or have otherwise been disqualified from voting therein, shall be removed from such lists, and to the end that the name of each qualified elector shall appear only on the list of qualified electors for the district and precinct in which he resides.

Section 2. The board of registrars shall have authority to omit and remove from the lists of qualified electors in the county the name of any person who fails to reidentify himself or herself to the board of registrars in one of the ways hereinafter provided, prior to the first day of July, 1959; provided that no one who has registered as a qualified elector of the county since January 1, 1955, shall be required to reidentify himself or herself. Any person removed from the list of qualified electors, as herein provided, does not cease to be a qualified elector and shall not be subject to re-registration, but shall be subject only to the requirement that he or she reidentify himself or herself as a duly registered elector before being entitled to be listed on the list of qualified electors in the county.

Section 3. A voter may reidentify himself or herself in any one of the following ways:

(a) A voter may reidentify himself or herself by appearing in person at the office of the board of registrars or the probate judge, or

Registrar—Probate Judge—Election Official
—COMMISSIONED OFFICER U.S. ARMED FORCES

Section 4. Any qualified elector in the county who shall have his or her name omitted or removed from the list of qualified electors in the county by reason of his or her failure to reidentify himself or herself as hereinabove provided, or his or her name be otherwise purged therefrom, shall be entitled to have his or her name restored to the list of qualified electors by appearing in person and reidentifying himself or herself in person at the office of the board of registrars or judge of probate in the manner hereinabove provided for; however, after June 29, 1959, every qualified elector must have reidentified himself or herself at least thirty (30) days prior to voting.

Section 5. The board of registrars shall meet as often as necessary and on such dates as the board may by order fix for the purpose of purging the list of qualified electors of the county. The board may meet any number of days not exceeding thirty (30) days per annum in excess of the maximum now provided by law for the purpose of purging such list, and shall be entitled to the same per diem allowances for meeting on such dates, in excess of the maximum, as now provided by law.

Section 6. Any person who wilfully makes a false statement in answer to the reidentification questionnaire to the board of registrars, the judge of probate, or the duly authorized employee of the board of registrars or judge of probate, or to the clerk, manager, inspector or returning officer or to the commissioned officer of the United States Army, Navy or Air Force shall be guilty of perjury, and upon conviction shall be punished by imprisonment in the penitentiary for not less than one year nor more than five years.

Section 7. The governing body of the county is hereby authorized to furnish to the board of registrars and the probate judge the supplies, equipment, printed forms, stationery and stamps necessary for the reidentification of voters.

Section 8. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

HOMER W. CORNETT,
Place No. 1, Russell County
Member House Representatives
State of Alabama

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF RUSSELL.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Isabel A. Moses, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix-Girard Journal, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper of February 4th, 11th, 18th, and 25th, all in the year 1955.

ISABEL A. MOSES,
Publisher

Sworn to and subscribed before me February 25th, 1955.

ISAAC J. MOSES,
Notary Public

My Commission Expires Feb. 10, 1958.

By Messrs. Payne and McKay (With Notice and Proof):

H. 24. To amend Section 1 of Act No. 86, approved June 15th, 1953, entitled An Act: "To amend Section 2 of Act No. 462, approved September 25, 1947, entitled An Act: "To change the method of compensating the Sheriff of Talladega County, placing such officer on salary, and providing clerical assistance and office space to him."

Notice and Proof H. 24.

Local Legislation No. 1.

AN ACT

To amend Section 1 of Act No. 86, approved June 15th, 1953, entitled An Act: "To amend Section 2 of Act No. 462, approved September 25, 1947, entitled An Act: "To change the method of compensating the Sheriff of Talladega County, placing such officer on salary, and providing clerical assistance and office space to him."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 1 of Act No. 86, approved June 15, 1953, entitled An Act: "To amend Section 2 of Act No. 462, approved September 25, 1947, entitled An Act: "To change the method of compensating the Sheriff of Talladega County, placing such officer on salary, and providing clerical assistance and office space to him" be, and the same is hereby, amended so as to read as follows:

"Section 1. That Section 2 of Act No. 462, approved September 25, 1947, entitled An Act: "To change the method of compensating the Sheriff of Talladega County, placing such officer on salary, and providing for clerical assistance and office space to him" be, and the same is hereby, amended so as to read as follows:

"Section 2. The governing body of Talladega County shall provide sufficient clerks, deputies and other assistants to the sheriff, but the sheriff shall select the clerks, deputies and other assistants, and shall fix their compensation, but the combined compensation of such clerks, deputies and assistants selected by him shall not exceed Eighteen Thousand and Nine Hundred (\$18,900.00) dollars per year. The Sheriff shall have the right to discharge the clerk, deputies and assistants at will. The county governing body is authorized to adopt rules and regulations for conducting and operating the office, if such are necessary as a result of changing the method and basis of compensation under this Act. The compensation of the clerks, deputies and assistants shall be paid in equal monthly installments out of the county treasury as other county employees are paid."

Section 2. All laws or parts of laws in conflict herewith are hereby expressly repealed.

Section 3.. This Act shall become effective upon its passage and approval by the Governor.

(Jan. 27—Feb. 3-10-17.)

THE STATE OF ALABAMA,
TALLADEGA COUNTY.

Personally appeared before me, a in and for said County, Cecil Hornady, who being duly sworn according to law, deposes and says that he is the Editor and Publisher of the Talladega News, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit in the issues hereof

dated as follows: Jan. 27, 1955; Feb. 3, 1955; Feb. 10, 1955; Feb. 17, 1955.

CECIL HORNADY

Subscribed and sworn to before me this 17th. day of Feb. 1955.

ELIZABETH M. YOUNG,
Notary Public

By Messrs. Adams, Johnson (Tallapoosa), Kelly, Dement, Selman, Shumate, Brassell, Davis, Branyon, Wood, Fite, Oden, Mathews, Hawkins, Burkhalter, Callahan, Stembridge, Steagall, Love, Cox, Hunt, Kirkham, McNider, Gregory, Broadfoot, Johnson (Elmore), Payne, Franklin, Brooks, Oakley, Hodges, Holliman, Hare, Bradford, Ashworth, Money, Law, Dawkins, Jenkins, Speaks, McKay, Bassett, Gist, Ferrell, Ramey, Lee (Lawrence), Boyd, Brown (Lamar), Locke (Choctaw), Edwards (Escambia), Taylor and Mathison:

H. 25. To repeal an Act approved September 5, 1951 (Act No. 694, S. 580, Acts of Alabama, 1951, p. 1195), entitled "An Act Relating to public welfare; providing for monetary contributions to the support of certain needy persons by certain relatives thereof; prescribing the procedure for obtaining such contributions; making needy persons with certain relatives liable to contribute to their support ineligible to receive public assistance; imposing additional duties on county departments of public welfare, county solicitors and deputy circuit solicitors in connection with the administration of the Act; and authorizing the Commissioner of Public Welfare to promulgate rules and regulations for carrying out the purposes of the Act.

Ways and Means.

By Mr. Summerlin (With Notice and Proof):

H. 26. Relating to Crenshaw County: Authorizing the sheriff to appoint an additional deputy, and providing for the payment of the compensation of such deputy.

Notice and Proof H. 26.

Local Legislation No. 1.

NOTICE

Notice is hereby given that a local act will be introduced in the Legislature of Alabama which will be substantially as follows:

Be it enacted by the Legislature of Alabama that the Court of County Commissioners for Crenshaw County, Alabama, shall be empowered to employ and pay a deputy sheriff for Crenshaw County, Alabama, which deputy sheriff shall be in addition to the Chief Deputy Sheriff, which office is now authorized by law.

That the salary of said deputy sheriff shall be not less than \$175.00 per month nor more than \$225.00 per month to be determined by the Court of County Commissioners of said County, and shall be paid from the general funds of said County.

That the deputy sheriff herein provided for shall be appointed by the Sheriff of Crenshaw County and shall serve at the pleasure of the Sheriff.

All local laws in conflict herewith are hereby repealed.

J19 4tc.

AFFIDAVIT

PROOF OF PUBLICATION

STATE OF ALABAMA,
CRENSHAW COUNTY.

Before the undersigned Notary Public personally came Mary F.

Reeder, who being duly sworn says upon oath that she is Publisher of a newspaper published at Luverne, Crenshaw County, Alabama, known as The Luverne Journal, and that the notice of publication, a true copy of which is hereto annexed, and being entitled:

"Notice. Notice is hereby given that a local act will be introduced in the Legislature of Alabama which will be substantially as follows:"

Was published in said newspaper, once a week for four consecutive weeks, to-wit in the issues of said newspaper dated: Jan. 19, 1955; Jan. 26, 1955; Feb. 2, 1955; Feb. 9, 1955.

MARY F. REEDER

Sworn and subscribed to before me this 26th day of February, 1955.

MRS. VONCILE R. NICHOLS,
Notary Public.

My Commission Expires March 9, 1957.

By Messrs. deGraffenried and Callahan:

H. 27. To permit banks now or hereafter having a combined paid-in capital and paid-in or earned surplus of more than One Million Dollars and situated in Counties having a population according to the 1950 or any subsequent decennial census of the United States of not less than 94,000 inhabitants nor more than 135,000 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such County in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the State Superintendent of Banks.

Local Legislation No. 1.

By Messrs. Callahan and deGraffenried (With Notice and Proof):

H. 28. Relating to Tuscaloosa County: To amend Section 1 of Act No. 129, approved June 12, 1935 (Local Acts of Alabama, 1935, Page 62 entitled "An Act To Fix The Compensation Or Salary To Be Paid The Judge Of Probate Of Tuscaloosa County, Alabama," etc.)

Notice and Proof H. 28.

Local Legislation No. 1.

STATE OF ALABAMA,
COUNTY OF TUSCALOOSA.

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tuscaloosa County: To amend Section 1 of Act No. 129, approved June 12, 1935 (Local Acts of Alabama, 1935, Page 62 entitled "An Act To Fix The Compensation Or Salary To Be Paid The Judge Of Probate Of Tuscaloosa County, Alabama," etc.)

WHEREAS, prior to May 6, 1954, the Probate Judge of Tuscaloosa County, Alabama, was receiving a total salary or compensation of approximately \$8500.00 per annum, including the compensation provided to be paid to him by Act No. 965, enacted at the 1951 Session of the Legislature

or Act No. 556, enacted at the 1953 Session of the Legislature; and

WHEREAS, That part of his compensation or salary attributable to the performance of a duty under the said Act No. 965 or said Act No. 556, by operation of law, is no longer being paid to him; and

WHEREAS, it is the desire and intent of the Legislature to restore to the Probate Judge of Tuscaloosa County, Alabama, the full salary or compensation to which he is entitled for the term for which he was elected.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 129, approved June 12, 1935 (Local Acts of Alabama, 1935, Page 62) is amended to read as follows:

"Section 1. The salary or compensation of the Judge of Probate of Tuscaloosa County, Alabama, shall be Eight Thousand Five Hundred (\$8500.00) Dollars per year, which salary or compensation shall be paid out of the County Treasury of Tuscaloosa County in equal monthly installments at the end of each month, upon warrants drawn in the same manner as warrants by which employees of Tuscaloosa County are paid."

Section 2. The Board of Revenue of Tuscaloosa County, Alabama, is hereby authorized, empowered, and directed to pay to the Probate Judge of Tuscaloosa County, Alabama, such sum or sums of money as may be necessary to restore to him the said full compensation to which he is entitled, which is at the rate of \$8500.00 per annum, for the period from May 1, 1954 up to the effective date of this Act.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Jan. 24-31-Feb. 7-14-4TC.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF TUSCALOOSA.**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 24, January 31, February 7, and February 14, all in the year 1955.

BUFORD BOONE

Sworn to and subscribed before me February 14, 1955.

**LILLA COLLINS,
Notary Public**

By Messrs. Selman, Shumate, Adams, Davis, Oden, Fite, Hawkins, Dement, Law, Ashworth, Money, Burkhalter, Dawkins, Speaks, Callahan, McKay, Ramey, Lee (Lawrence), Gist, Brown (Lamar) and Branyon.

H. 29. To repeal an Act approved September 5, 1951 (Act No. 694, S. 580, Acts of Alabama, 1951, p. 1195), entitled "An Act Relating to

public welfare; providing for monetary contributions to the support of certain needy persons by certain relatives thereof; prescribing the procedure for obtaining such contributions; making needy persons with certain relatives liable to contribute to their support ineligible to receive public assistance; imposing additional duties on county departments of public welfare, county solicitors and deputy circuit solicitors in connection with the administration of the Act; and authorizing the Commissioner of Public Welfare to promulgate rules and regulations for carrying out the purposes of the Act.

Public Welfare.

By Messrs. Selman and Shumate:

H. 30. To apply in all counties having a population of not less than 63,700 nor more than 70,000, according to the last or any subsequent federal decennial census; authorizing and directing the county governing body to provide the coroner with office space, certain equipment, furniture, supplies, and services at the expense of the county.

Local Legislation No. 1.

By Mr. Kelly (With Notice and Proof):

H.31. To repeal Act No. 336 of the Legislature of Alabama of 1951, entitled "An Act Relating to Winston County: To prevent the disclosure of the identity of persons drawn or summoned for jury service at any session of court prior to the beginning of the session; and prescribing penalties for violation of this Act," approved August 1, 1951 (Acts of Alabama, 1951, page 624).

Notice and Proof H. 31.

Local Legislation No. 1.

LEGAL NOTICE

Pursuant to the requirements of the Constitution of Alabama, of 1901, Section 106, notice is hereby given that application will be made to the Legislature of Alabama, at its regular session commencing in May, 1955, or at any special session called prior thereto, for the passage of an act in substance as follows:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 336 of the Legislature of Alabama of 1951, entitled "An Act Relating to Winston County: To prevent the disclosure of the identity of persons drawn or summoned for jury service at any session of court prior to the beginning of the session; and prescribing penalties for violation of this Act," approved August 1, 1951 (Acts of Alabama, 1951, page 624).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Act No. 336 of the Legislature of Alabama, entitled "An Act Relating to Winston County: To prevent the disclosure of the identity of persons drawn or summoned for jury service at any session of court prior to the beginning of the session; and prescribing penalties for the violation of this Act," approved August 1, 1951, (Acts of Alabama 1951, page 624), be and the same is hereby repealed.

Section 2. That this Act shall take effect upon its approval by the Governor or upon its otherwise becoming a law.

J. H. KELLY,
Representative, Winston County

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
WINSTON COUNTY.

Before me, W. H. Weaver, a Notary Public in and for said County and State, personally appeared J. W. Ayres, who being duly sworn, deposes and says: (1) I am the owner, editor, and publisher of the Winston County Times, a newspaper published weekly at Haleyville, Winston County, Alabama; (2) said newspaper has been published weekly in Haleyville, Winston County, Alabama, for more than two consecutive years next preceding this date; and (3) the attached notice was published in the Winston County Times, Haleyville, Winston County, Alabama, for four consecutive weeks, namely, January 20 and 27, and February 3 and 10, 1955.

J. W. AYRES

Sworn to and subscribed before me this 15 day of February, 1955.

W. H. WEAVER,
Notary Public

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to notify the House of Representatives that the Senate is now in Session and ready for the transaction of business.

J. E. SPEIGHT,
Secretary

RESOLUTIONS

The following resolutions were introduced:

By Mr. Oden:

H.J.R. 5. RESOLVED by the Legislature of Alabama, both Houses thereof concurring, That a committee composed of two members of the Senate Committee on Agriculture, to be appointed by the chairman of said Committee, and three members of the House Committee on Agriculture, to be appointed by the Chairman of that committee, to make an investigation and study of the Coalson and Pinion case, which arose on or about April 1, 1953, in Franklin County.

The Coalson and Pinion case involves a quarantine imposed on certain cattle which were inoculated for brucellosis by the Department of Agriculture and Industries or the State Veterinarian and reacted by contracting brucellosis or Bangs disease.

The records of the Coalson-Pinion case are missing from the files of the Department of Agriculture and Industries and have not been located. The committee appointed pursuant to this resolution shall make such investigation as may be necessary to locate the records of the case and determine whether or not the case should be re-opened with a view to lifting the quarantine imposed by the state veterinarian.

On motion of Mr. Oden the rules were suspended and H.J.R. 5 was adopted.

Also:

By Messrs. Dawkins and Hawkins:

H.J.R. 6. BE IT RESOLVED by the House of Representatives, the Senate concurring:

1. There shall be an Interim Committee on Finance and Taxation, to meet during the interim between approval date of this resolution, and the opening day of the regular session of the Legislature in May following, whose duty it shall be to make a careful investigation and study of the budget and financial conditions of the State. The Committee shall be composed of fourteen (14) Representatives appointed by the Speaker of the House and seven (7) Senators appointed by the President of the Senate. The President of the Senate and the Speaker of the House shall be Ex Officio members of the Committee. The Chairman of the Senate Committee on Finance and Taxation shall be Chairman of said Committee and the Chairman of the Ways and Means Committee of the House shall be Vice Chairman. Vacancies on the Committee shall be filled by the Speaker or President of the Senate as the case may require.

2. The pay of the members and ex officio members of the Committee shall be the same as their regular legislative per diem and expense allowance for each day while serving on the Committee when not drawing their regular legislative pay, plus mileage of ten cents (.10) per mile in going from his residence to, and in returning to his residence from Montgomery, to be computed as required by the Code, the mileage to be paid one time only.

3. The Committee is authorized to employ such clerks as it may deem necessary, and their compensation shall be paid as provided in Section 13, Title 32, Code of Alabama 1940.

On motion of Mr. Dawkins the rules were suspended and H.J.R. 6 was adopted.

Also:

By Messrs. Boyd, Nolen, Bassett and Wood:

H.J.R. 7. Endorsing placement of the bust of General Thomas Jonathon Jackson (better known as General Stonewall Jackson) in the Hall of Fame, New York University, New York City.

WHEREAS, General Thomas Jonathon Jackson (Stonewall Jackson) was a devout Christian and a great American, and

WHEREAS, he was one of the world's greatest military leaders, and his genius as a strategist has caused his military campaigns and strategy to be studied and taught in such military academies as the United States Military Academy at West Point, the French Military Academy at St. Cyr, France, and the British Military Academy at Sandhurst, England, and

WHEREAS, the United Daughters of the Confederacy are now requesting the electors of the Hall of Fame at New York University, New York City, to elect General Stonewall Jackson to that Hall of Fame, and

WHEREAS, the Daughters of the Confederacy have offered and agreed to bear the expense of the proposed bust of General Jackson, for this purpose, and

WHEREAS, this is indeed a praiseworthy undertaking;

NOW, THEREFORE, BE IT RESOLVED by the Legislature of Alabama, both houses thereof concurring, that the members of the Legislature record themselves as endorsing the aforesaid project of the United Daughters of the Confederacy and commend that organization for seeking this merited recognition of General Jackson, and the members of the Legislature hereby authorize the United Daughters of the Confederacy to notify the electors of the Hall of Fame, New York University,

New York City, that their request has the wholehearted endorsement of the Legislature of Alabama.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the United Daughters of the Confederacy and to the electors of the Hall of Fame, New York University, New York City.

On motion of Mr. Boyd the rules were suspended and H.J.R. 7 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 2. Relative to appointing Committee to notify the Governor the Legislature is now in session and ready for transaction of business, and to ascertain if the Governor desires to address a Joint Session.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Reeves and Eddins,

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:

By Mr. Lamberth:

S.J.R. 1. BE IT RESOLVED by the Senate, the House concurring, that when the two Houses adjourn today they adjourn to meet again on Tuesday, March 8, 1955, at 12 o'clock Noon.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 1 set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Mr. Callahan:

H.J.R. 8. WHEREAS, the Legislature of Alabama of 1953, passed an act which was approved on September 19, 1953, and which is known and designated as Act No. 777, entitled an act to provide for the support and maintenance of mentally ill persons committed to the State mental institutions and providing for the enforcement of the Act, which said Act is found on Page 1048 of the Acts of Alabama of 1953, Vol II, and;

WHEREAS, there exists in the minds of a large number of people that said Act is not being uniformly and fairly enforced in all counties of this State, and;

WHEREAS, this Legislature desires to know whether or not said Act

is workable and whether it can be enforced fairly, equitably and uniformly,

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives, the Senate concurring, that the Speaker of the House appoint six members of the House and the President of the Senate appoint three members of the Senate as a joint committee to make a study of said Act No. 777 as to its workability, and to determine whether or not the same is being fairly and impartially enforced; and said committee shall remain in existence and meet so many days as necessary to make an adequate report to the Regular Session of the Legislature in May, 1955.

BE IT FURTHER RESOLVED that the members of said committee shall receive the same per diem and expenses as they receive while in attendance upon sessions of the Legislature and that the transportation cost, the expenses, and per diem be paid from funds appropriated to the Legislature, upon warrants drawn by the Chairman of the Committee.

BE IT FURTHER RESOLVED that the Chairman of the Committee shall be appointed by the Speaker of the House.

BE IT FURTHER RESOLVED that upon completion of its work and study said committee shall recommend to the Legislature:

1. Whether or not said Act should remain a statute of Alabama, and/or
2. Whether or not said Act should in any wise be amended to make it more workable and easier to enforce in an equitable manner.

RESOLVED also, that the committee may employ a secretary, whose compensation shall be paid in the same manner as the compensation of committee members.

On motion of Mr. Callahan the rules were suspended and H.J.R. 8 was adopted.

The Committee heretofore appointed, pursuant to H.J.R. 2, to wait upon the Governor and ascertain if he desired to address a joint session of the Legislature, reported back that the Governor would address a joint session of the Legislature at 12:30 P.M. on Tuesday, March 8, 1955.

ADJOURNMENT

On motion of Mr. Oden the House adjourned until Tuesday, March 8, 1955, at twelve o'clock, noon.

SECOND DAY

House of Representatives
Montgomery, Alabama
Tuesday, March 8, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Minister, E. C. McKenzie, Catoma Street Church of Christ, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards ^(Escambia)	Kelly	Oden
Adams	Edwards ^(Jefferson)	Kendall	Payne
Albea	Faulk	Killough	Perry
Ashworth	Ferrell	Kirkham	Pirkle
Bagley	Franklin	Lackey	Pruitt
Bassett	Gilchrist	Law	Ramey
Boyd	Gist	Lee (Barbour)	Reynolds
Bradford	Goodwyn	Lee (Lawrence)	Richardson
Brannan	Gregory	Locke (Choctaw)	Roberts
Branyon	Grouby	Locke (Perry)	Selman
Brassell	Hain	Love	Shumate
Brewer	Hall	McClendon	Simon
Broadfoot	Haltom	McKay	Solomon
Brooks	Hanby	McLendon	Speaks
Brown (Lamar)	Hardy	McNider	Steagall
Brown (Lee)	Hare	Martin	Stembridge
Burkhalter	Harrison	Mathews	Stokes
Callahan	Harvey	Mathison	Summerlin
Cornett	Hawkins	Meeks	Taylor
Cox	Hodges	Molette	Thomas
Davis	Holliman	Money	Tyson
Dawkins	Huddleston	Murphy	Vacca
deGraffenried	Hunt	Nettles	Ward
Dement	Jenkins	Nice	Windle
DeSear	Johnson ^(Tallapoosa)	Nolen	Wood
Dickson	Kaul	Oakley	

—103

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the first legislative day and finds the same to be correct.

RANKIN FITE,
Chairman

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules, was concurred in and adopted, and the Journal of the first legislative day was approved.

RESOLUTIONS

By Mr. Hawkins:

H.J.R. 9. BE IT RESOLVED by the House of Representatives, the Senate Concurring, that when the two Houses adjourn today, they adjourn to meet again on Friday, March 11, 1955, at 10 o'clock A.M.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 9 was adopted.

Also:

By Mr. Summerlin:

H.R. 10. WHEREAS, it is recognized that additional tax revenue is needed for our schools and colleges and

WHEREAS several recommendations have been made on sources of additional revenue for education,

BE IT RESOLVED that the State Superintendent of Education be requested to appoint a committee representing the public schools and the colleges and especially representing research departments of the University of Alabama and the Alabama Polytechnic Institute to work with him and State Tax Department officials to estimate revenue that could be secured through different tax sources and especially by removing exemptions from the State 3% sales tax and the 3% use tax.

BE IT FURTHER RESOLVED that the State Superintendent of Education be requested to report such findings to the House Education Committee.

On motion of Mr. Summerlin the rules were suspended and H.R. 10 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H.J.R. 3. Relative to printing and binding the Acts and Journals of this and the last session in the same volumes as the next session of the Legislature.

Also:

H.J.R. 7. Endorsing placement of the bust of General Thomas Jonathan Jackson (better known as General Stonewall Jackson) in the Hall of Fame, New York University, New York City.

J. E. SPEIGHT,
Secretary

BILLS ON SECOND READING

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 25. To repeal an Act approved September 5, 1951, (Act No. 694, S. 580, Acts of Alabama, 1951, p. 1195), entitled "An Act Relating to public welfare; providing for monetary contributions to the support of certain needy persons by certain relatives thereof; prescribing the procedure for obtaining such contributions; making needy persons with certain relatives liable to contribute to their support ineligible to receive public assistance; imposing additional duties on county departments of public welfare, county solicitors and deputy circuit solicitors in connection with the administration of the Act; and authorizing the Commissioner of Public Welfare to promulgate rules and regulations for carrying out the purposes of the Act.

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report and they were read a second time and placed on the Calendar, to-wit:

H. 1. Relating to Butler County; to provide further for the selection of the county superintendent of education, making the operation of the Act contingent upon its approval at a referendum election.

H. 2. Relating to Colbert County: To abolish the office of County Commissioner of Public Schools; To establish and restore in Colbert County the office of County Superintendent of Education; To designate and appoint a County Superintendent of Education and fix his term of

office; To provide for the election of his successor and successors; To provide for the term of office, qualifications, official bond, salary, compensation and allowances of the County Superintendent of Education; To define and prescribe the duties and functions of the County Superintendent of Education; To repeal Act No. 227 of the regular session of the Legislature of Alabama of 1953 relating to Colbert County, approved July 24, 1953, and all other laws and parts of laws in conflict with this Act; And to provide for a referendum election by the qualified electors of Colbert County to pass upon the question of whether they favor the adoption of the provisions of this Act.

H. 4. To alter, rearrange, and extend the boundaries of the City of Ozark in Dale County.

H. 7. To authorize and empower the Register of the Circuit Court in Equity of Madison County, Alabama, to appoint a Chief Clerk, and to fix the salary and to provide the method of payment of salary of said Chief Clerk.

H. 8. Relating to Marion County: To authorize the county governing body to employ an industrial development agent for the County, fix his term of employment and compensation, and prescribe his duties.

H. 9. Relating to Marion County: To establish the Marion County Court; to define its jurisdiction and powers; to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge to fix the time of sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the county court for Marion County and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Marion County.

H. 10. Relating to Marion County: To provide further for the distribution of fines and forfeitures in certain cases.

H. 11. Relating to Mobile County; withdrawing and taking away from justices of the peace and notaries public ex officio jurisdiction in certain cases; forbidding justices of the peace and notaries public ex officio to exercise any jurisdiction in criminal or quasi-criminal cases of garnishment and attachment proceedings, making it a misdemeanor for a justice of the peace or notary ex officio, his agent or clerk, to issue a writ of garnishment or attachment, and prescribing a penalty therefor; declaring that a writ of garnishment or attachment issued by a justice shall be null and void; and transferring pending cases and proceedings to the Inferior Criminal Court of Mobile County.

H. 12. To authorize the County Treasurer of Mobile County to appoint an Assistant Treasurer of Mobile County; to provide the qualifications of such Assistant Treasurer, the term of office of such Assistant Treasurer, the duties to be performed by such Assistant Treasurer; the bond required of such Assistant Treasurer, and the method of paying the premium of such bond; the compensation of such Assistant Treasurer, and the manner and method of the payment thereof; and fixing the time at which said Act shall go into effect.

H. 13. To extend the term of office of the members of the Board of Revenue and Road Commissioners of Mobile County, Alabama, for a period of two years from the expiration of their present term of office: to provide how, when and for what term of office their successors shall be elected and to repeal only those laws, or parts of laws, which are in conflict herewith.

H. 14. Relating to Mobile County; to confer additional civil jurisdiction upon the Inferior Criminal Court of Mobile County.

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 15. (With Amendment) Relating to Mobile County: To amend an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), as amended, entitled "An Act To place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer," to provide for the compensation of the chief deputy sheriff; to provide for the appointment and compensation of an assistant chief deputy sheriff and a chief clerk in the office of the sheriff; and to provide for the official bond of the chief deputy sheriff, assistant chief deputy sheriff, and the chief clerk.

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 16. To establish in Mobile County, Alabama, the positions of Administrative Assistant to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama and Legal Stenographer to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama; to prescribe their duties; to fix their term of employment and to prescribe their compensation and provide for the payment of their compensation out of the General Fund of Mobile County, Alabama.

H. 19. To extend the term of office of Commissioner of Licenses in all counties of this State having a population of not less than 235,000 nor more than 400,000, according to the last or any subsequent Federal census, for a period of two years from the expiration of their present term of office; to provide how, when and for what term of office their successors shall be elected and to repeal only those laws, or parts of law, which are in conflict herewith.

H. 20. To extend the term of the office of coroner in all counties of this State having a population of not less than 235,000 inhabitants nor more than 400,000 inhabitants, according to the last or any subsequent decennial federal census, for a period of two years from the expiration of their present term of office; and to provide for the election and term duties; to fix their term of employment and to prescribe their compensation.

H. 23. Relating to Russell County; providing for the reidentification of each qualified elector of Russell County; requiring the board of registrars to purge the list of registered voters; and providing a penalty of their present term of office; and to provide for the election and term ion.

H. 26. Relating to Crenshaw County: Authorizing the sheriff to

appoint an additional deputy, and providing for the payment of the compensation of such deputy.

H. 27. To permit banks now or hereafter having a combined paid-in capital and paid-in or earned surplus of more than One Million Dollars and situated in Counties having a population according to the 1950 or any subsequent decennial census of the United States of not less than 94,000 inhabitants nor more than 135,000 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such County in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the State Superintendent of Banks.

H. 28. Relating to Tuscaloosa County: To amend Section 1 of Act No. 129, approved June 12, 1935 (Local Acts of Alabama, 1935, Page 62 entitled "An Act To Fix The Compensation Or Salary To Be Paid The Judge Of Probate Of Tuscaloosa County, Alabama," etc.)

H. 30. To apply in all counties having a population of not less than 63,700 nor more than 70,000, according to the last or any subsequent federal decennial census; authorizing and directing the county governing body to provide the coroner with office space, certain equipment, furniture, supplies, and services at the expense of the county.

H. 31. To repeal Act No. 336 of the Legislature of Alabama of 1951, entitled "An Act Relating to Winston County: To prevent the disclosure of the identity of persons drawn or summoned for jury service at any session of court prior to the beginning of the session; and prescribing penalties for violation of this Act," approved August 1, 1951 (Acts of Alabama, 1951, page 624).

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Hain, Molette, Hardy, Hare, Stokes, Kaul, Lee (Barbour), McKay, Payne, Jenkins, Crook, McLendon, Bassett, Boyd, Holliman and Franklin:

H. 32. To prescribe a penalty for throwing, dumping or leaving debris, trash or rubbish on the land of another, without the owner's permission.

Judiciary

By Messrs. Hain, Molette, Hardy, Hare, Stokes, Kaul, Lee (Barbour), McKay, Payne, Jenkins, Crook, McLendon, Boyd, Bassett, Holliman and Franklin:

H. 33. To amend Section 131 of Title 23, Code of Alabama, 1940, which relates to the dumping, throwing or leaving debris, trash and rubbish on highways.

Judiciary

By Messrs. Law and Johnson (Elmore):

H. 34. To amend Section 211 of Title 29, Code of Alabama (1940), which relates to the officers who may issue search warrants under the law regulating the possession, sale, and distribution of intoxicating liquors and alcoholic beverages.

Judiciary

By Messrs. Law and Johnson (Elmore):

H. 35. To amend further Section 619 of Title 51, Code of Alabama (1940), which relates to the tax on the recordation of mortgages, deeds

of trust, contracts of conditional sale, or instruments of like character.
Judiciary

By Messrs. Oden, Fite, Dawkins, Kendall, Haltom, Broadfoot, Lee (Lawrence), Reynolds, Kelly, Davis Martin, Branyon, Brown (Lamar), Nice, Selman, Shumate and Gregory:

H. 36. To regulate the sale of eggs in Alabama by requiring accurate labeling of containers in which eggs are sold; to require accurate labeling of such egg containers with respect to the grade and weight classes of eggs contained herein and to authorize the State Board of Agriculture and Industries to establish reasonable standards, grades of quality and weight classes for the sale of eggs; to levy and collect an inspection fee upon the sale of eggs and to require egg dealers to obtain a permit from the Commissioner of Agriculture and Industries before engaging in the sale of eggs; to make an appropriation to defray costs and expenses incident to the administration and enforcement of this Act; to authorize the adoption of rules and regulations for the execution of this Act and to provide exemptions of the sale of eggs from this Act; prescribe a penalty for violations together with other administrative and enforcement provisions; to repeal Article 15 of Title 2, Code of Alabama of 1940.

Agriculture

By Messrs. Ramey and Richardson:

H. 37. To amend further Section 2, Act No. 669, H. 792, approved July 5, 1940, which Act is known as the "Alabama Motor Carrier Act of 1939," (Acts, 1939, pp. 1064-1090).

Ways and Means.

By Messrs. Brown (Lamar), Branyon, Oden, Huddleston and Fite:

H. 38. To amend Section 10 of Title 37, Code of Alabama (1940).

Local Government.

By Mr. Fite (With Notice and Proof):

H. 39. Relating to Marion County; levying a county privilege license tax on electric and hydro-electric public utilities, providing for the collection and enforcement of such tax and for the distribution and use of the proceeds thereof.

Notice and Proof H. 39.

Local Legislation No. 1.

STATE OF ALABAMA,
COUNTY OF MARION.

NOTICE is hereby given that bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Marion County; levying a county privilege license tax on electric and hydro-electric public utilities, providing for the collection and enforcement of such tax and for the distribution and use of the proceeds thereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Each person, firm or corporation operating an electric or hydro-electric public utility in Marion County shall pay a count.

privilege license tax in an amount equal to five per cent of the gross receipts of such business. The tax herein levied shall be in addition to all other taxes and licenses heretofore levied or imposed by law, and shall be due and payable in monthly installments on or before the 20th day of the month next succeeding the month in which the tax accrues.

Sec. 2. The books of every person, firm, or corporation operating an electric or hydro-electric public utility in Marion County shall be open to inspection by the duly authorized agents of Marion County selected or appointed for the purpose of aiding in the collection and enforcement of the tax imposed by this Act. The governing body of Marion County is hereby authorized and empowered to make such reasonable rules and regulations as may be necessary to enforce and collect the tax hereby imposed, and shall have full authority to employ such legal counsel, agents, and assistants as it deems necessary from time to time to enforce the collection of such tax or to effectuate the purposes of this Act. Such counsel, agents, and assistants as may be employed shall be paid from the proceeds of the tax collected hereunder, or from any other funds available to the county governing body.

Sec. 3. Any person, firm or corporation that fails to pay the tax, herein levied within the time required by this Act shall pay, in addition to the tax, a penalty of ten percent of the amount of the tax due, together with interest thereon at the rate of one-half of one percent per month, or fraction thereof, from the date on which the tax herein levied became due and payable, such penalty and interest to be assessed and collected as a part of the tax. Provided, the governing body of Marion County may waive or remit the penalty or any portion thereof if a good and sufficient reason therefor is shown.

Sec. 4. The tax herein levied, together, with interest and penalties imposed, shall be a lien upon the property of any person, firm, or corporation due to pay said taxes under the provisions of this Act, and all of the provisions of the revenue laws of the State of Alabama applying to or with reference to the enforcement of liens for license taxes due the State of Alabama shall apply fully to the collection of the taxes levied herein, and the State Department of Revenue, when authorized by the governing body of Marion County, shall have the power and authority to collect and enforce said taxes.

Sec. 5. All revenue arising from the tax levied by this Act shall be used exclusively for the following purposes: 1) one-third (1/3) for the construction, maintenance, and operation of a county airport; 2) one-fourth (1/4) for the Marion County Public Building Authority; 3) five-twelfths (5/12) for the general fund in the county treasury. In the event a special public body is created by law for the purpose of constructing, maintaining, and/or operating a county airport, the revenue herein allocated to the general fund of the county for a county airport shall be paid over to such public body.

Sec. 6. Distributors and sellers of electricity whose business activities are not subject to regulation by the Alabama Public Service Commission shall be exempt from payment of the tax levied by this Act.

Sec. 7. All laws or parts of laws in conflict with the provisions of this Act, whether general, local or special, be and the same are hereby repealed to the extent of the conflict.

Sec. 8. This Act shall become effective upon the first day of the month following its passage and approval by the Governor.
4t-2-9-ch

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Emma C. McKenzie, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 10, Feb. 17, Feb. 24, and March 3, all in the year 1955.

EMMA C. McKENZIE

Sworn to and subscribed before me March 3, 1955.

Z. E. WATSON,
Notary Public,
Marion County, Alabama

By Messrs. Kirkham and Holliman:

H. 40. Relating to counties having a population of not less than 29,350 nor more than 30,350 inhabitants: to provide for a clerk in the office of the Clerk of the Circuit Court of such counties; fixing the salary, method and basis of such clerk's employment and compensation; such salary to be paid out of the general funds of such counties. To repeal all laws in conflict herewith, and to provide effective date of such act.

Local Legislation No. 1.

By Mr. Huddleston (With Notice and Proof):

H. 41. To permit any bank in Colbert County, Alabama, to establish one branch bank, branch agency, additional office, or branch place of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business, subject to the approval of the State Superintendent of Banks of Alabama.

Notice and Proof H. 41.

Local Legislation No. 1.

STATE OF ALABAMA,
COUNTY OF COLBERT.

NOTICE is hereby given that a bill, substantially as follows, will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To permit any bank in Colbert County, Alabama, to establish one branch bank, branch agency, additional office, or branch place of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business, subject to the approval of the State Superintendent of Banks of Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That from and after the approval of this Act any bank situated within Colbert County, Alabama, may establish, maintain, and operate within the limits of Colbert County, Alabama, one branch bank,

branch agency, additional office, or branch place of business, for the receipt of deposits, payment of checks, or lending of money, and the doing of a general banking business, provided that such bank, before the establishment of any such branch bank, additional agency, additional office, or additional place of business, shall first secure the written consent thereto of the Superintendent of Banks of the State of Alabama.

Section 2. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. That all laws or parts of laws, general, local, or special, in conflict with the provisions of this Act, be and the same hereby are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Feb. 4-11-18-25c

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF LAUDERDALE.

Before me, the undersigned authority in and for said County in said State, this day personally appeared L. H. Baker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Standard & Times, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 4th, Feb. 11, Feb. 18, and Feb. 25, all in the year 1955.

L. H. BAKER

Sworn to and subscribed before me this 28th day February, 1955.

WALLACE E. OWEN, JR.,
Notary Public.

By Mr. Huddleston (With Notice and Proof):

H. 42. To permit any bank having an office or place of business in any city in Colbert County, Alabama, to establish, maintain and operate, within the limits of such city or the police jurisdiction thereof, a branch or additional office or place of business, with the approval of the Superintendent of Banks of the State of Alabama.

Notice and Proof H. 42.

Local Legislation No. 1.

NOTICE

STATE OF ALABAMA,
COULBERT COUNTY.

Notice is hereby given that at the regular session of the Legislature of Alabama, which will convene in May, 1955, a bill substantially as follows will be introduced and application for its enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To permit any bank having an office or place of business in any city

in Colbert County, Alabama, to establish, maintain and operate, within the limits of such city or the police jurisdiction thereof, a branch or additional office or place of business, with the approval of the Superintendent of Banks of the State of Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any bank having an office or place of business in any city in Colbert County, Alabama may establish, maintain and operate, within the limits of such city or the police jurisdiction thereof, one or more branches or additional offices or places of business, provided that such bank, before the establishment of any such branch or additional office or additional place of business, shall first secure the written consent thereto of the Superintendent of Banks of the State of Alabama.

Section 2. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. That all laws or parts of laws, general, local, or special, in conflict with the provisions of this Act, be and the same hereby are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

2-10-4tc

**STATE OF ALABAMA,
COLBERT COUNTY.**

I, W. F. Miller, publisher of Colbert County Reporter, a newspaper published in Colbert County, Alabama at Tuscumbia, do hereby certify that the attached and foregoing notice was published once a week for four consecutive weeks in Colbert County Reporter in the following dated issues of such newspaper: February 10, 17, 24 and March 9, 1955. I further certify that the attached notice is an exact copy of said notice as published.

W. F. MILLER

Sworn to and subscribed before me this 4th day of March, 1955.

E. G. HERRING, JR.,
Notary Public.

MOTION TO INTRODUCE BILLS LATER

On motion of Mr. Dawkins, consent was granted him to introduce bills later in the day.

JOINT SESSION

The hour of 12:30 o'clock P.M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the Hall of the House of Representatives, in accordance with House Joint Resolution No. 2, for the purpose of hearing an address by the Governor of the State of Alabama.

The joint session was called to order by the Honorable W. Guy Hardwick, Lieutenant Governor and Presiding Officer of the Senate.

The Honorable James E. Folsom, Governor of the State of Alabama, appeared and addressed the joint session of the Legislature of the State of Alabama as follows:

MESSAGE TO THE LEGISLATURE

I come before you today to make one principal request—that you enact appropriate legislation to carry out our campaign pledge of a \$50-a-month pension for each of the State's senior citizens above the age of 65.

In other words, I want to share with you, and I want you to share with me, the full responsibility of giving our State an adequate pension program for the aged population of our State.

This is not the first time that I have appeared before a general assembly of the State to advocate this idea. I have done it many times before in these same legislative halls—and I have done it hundreds of times before the court of public opinion, before the voters themselves, in every section and community of Alabama.

In 1936 and again in 1938, I ran for Congress in my home-district, pledging my best efforts to the enactment of a decent pension program for our old folks. Later in 1942 I ran for Governor pledging the same old age pension policy. I was not successful in that gubernatorial race, but the man who was successful had advocated in that campaign a \$50-a-month pension for the aged population of Alabama.

In 1946 I was overwhelmingly elected Governor on a platform that pledged, among other things, \$50-a-month pensions for those over 65 years of age.

When I was installed as Governor in 1947, I recommended in the strongest possible language, that the Legislature set up the machinery and provide the revenue for carrying out my old age pension promise to Alabama citizens. This was not done—due largely to the block formed to stop that program. Two of the members of the Legislature most responsible for blocking that program later on ran for Governor themselves. You know how they fared. One of them got two and one-half percent of the votes cast in that election—the other got nine per cent.

I mention these facts because they have real significance. They mean that the people of Alabama will not elect a man Governor who opposes taking care of the aged population of our State—and they will not elect again to public office, a man who has broken faith with the people on this \$50 pension issue.

Along about the time I was advocating an adequate old age pension program in my first political race, the Federal government under President Roosevelt's leadership, launched a broad program of providing old age assistance for our people. That program was in two forms:

(1) For persons engaged in business or occupational positions where they paid a portion of their monthly salary toward an old age and survivors' insurance plan for their protection in the twilight period of their lives. The employer paid a similar amount to the fund. There are today thousands of our fellow-citizens who were fortunate enough to be covered by businesses or occupations eligible under that law. Such citizens now over 65 are today drawing monthly amounts varying from \$30 to \$98.50. That program is called the Old Age and Survivors' Insurance part of the Federal Social Security Program.

(2) The other part deals with the folks I have called you here in special session to help—those who have reached, or will reach the age of 65, but are not covered by the OASI. Through no fault of their own, they are not eligible for OASI payments. They either were not working in jobs covered by the OASI program, or they were not able to engage in gainful employment or work at all.

I also want our State old age assistance program to make up the difference for the folks over 65, between what they draw from other pension systems—Federal, State, local or private—and the monthly amount of \$50, so that they, too, will be drawing the maximum paid our

citizens who do not qualify for any pension system except the State old age assistance program.

Now, that's not an unreasonable request. There is no reason why the State should not care for its aged—or care for the aged not sufficiently taken care of by other pension plans. In our system of free enterprise in business, the officers and employees of our businesses, including those of our giant corporations, have pension plans. Some of them limit the plan to Federal Old Age and Survivors' Insurance coverage. But, others have more enriched programs of retirement for their officers and employees when they reach 65. You and I, as purchasers of their goods and services, help to pay for that type of enriched retirement program. They ought to help us pay for the meager pension—the \$50 a month—that we propose in this Session to contribute to our old folks under the Proposed pension program.

Just this month, the Federal Government is sending a leaflet to every rural boxholder in America, telling how the Social Security law applies to the farmers and their workers. This will be a big boost in interpreting to the farmers their rights and security protection under the Social Security law.

The Congress has for several years voted funds to enable the Federal government to match State funds to make sure that these people have an old age pension when they become 65. Our Congressmen and Senators have been voting for these Federal appropriations for 20 years. But, here in Alabama, our State legislatures have not been as forward-looking as our State's congressional delegation. They have not, in other words, voted the funds to enable us to match the full amounts available in Washington for our old folks not covered by the Federal Old Age and Survivors' Insurance program. I hope this Legislature will do as well for our old folks as our Congressmen and Senators have done for the past 20 years.

In other words, the majority of our Nation's Senators and Congressmen—conservative, reactionary or liberal, or whatever other shade of political thought may be theirs—have consistently voted taxes and appropriations to enable the Federal government to pay as much as \$32.50 of every \$50 pension our State may award to our old folks.

Therefore, I think you and I will agree that it is time for Alabama to quit lagging in the matching arrangement, so that our old folks will be taken care of.

As I have already pointed out, there are a lot of folks drawing pensions—some below \$50—from other agencies or units of government and from private systems. I would not want those drawing more than \$50 a month to draw anything under our State old age assistance program. Those drawing below \$50, I would want the difference between the exact amount they draw, and \$50, to be supplied under our State program.

I want to point out one very significant advantage that this Old Age Pension will have: And get this:

It will provide the largest single source of income in many of our communities and towns. In every single county, the monthly pension returns will be of such large monetary sums that it will be equal—on a State-wide basis—to many new multi-million dollar industrial locations.

These old age pension dollars will be rapid turn-over dollars. They will be spent in such a way on the local level as to create a healthy and thriving prosperity.

As improvements are made in the Federal Old Age and Survivors' Insurance program, the demands against our State old age assistance program will drop. In ten to twenty years from now, a large percentage of our aged population will be eligible to sizable monthly pensions under OASI. Then our Alabama old age assistance program will grow less costly than will be the case this year under our proposed program. I'll give an example of what I mean.

When I was Governor before, I joined with the Alabama League of Municipalities in sponsoring legislation, first in the Congress in Washington, and later here in the State Legislature, that brought under the Federal Old Age and Survivors' Insurance plan, thousands of workers for State, county and municipal governments. These people, when they reach the age of 65, will be drawing their old age pension payments under this program rather than under our State old age pension program. Thus, the State will thereby be saved thousands upon thousands of dollars each year.

As Governor of Alabama, I am paying Social Security. When I reach 65, I will have paid more than enough into the OASI fund, to allow me to draw in excess of \$50 per month. Therefore, I will not be entitled to any part of a \$50 monthly State pension, because I will be getting more than that under Social Security.

Let me here summarize just what we propose in our proclamation that brought you into Session, in this message and in bills that will be presented to you while you are in Session:

1. That the so-called Relative Responsibility Act be repealed so that many deserving old people may be provided a \$50-a-month pension, despite the fact that some relative may be financially able but does not provide them with financial assistance to meet their living costs.

2. That every person above 65 years of age not drawing as much as \$50 a month in some form of pension from a unit of government—or from a private system—will draw \$50 a month from the State old age assistance program. If they now draw less than \$50 a month from a government or private pension system, our plan would boost this pension to \$50.00.

3. That suggested revenue measures aimed at raising the money to pay the State's share of the \$50 pension cost will be presented to you for your consideration.

There are many ideas as to how the revenue can be raised to shoulder the Old Age Pension program. My administration leaders in the House and Senate have been working with department heads in an effort to arrive at a sound and fair approach to the problem.

I know that each of you will have your own contribution to make as bills are introduced and deliberated upon during this special session. There is no painless or easy way to finance this program. But it is a program which the people have repeatedly voted for, and I ask your wisdom and your vision in finding a way to make it possible.

The emotion of tenderness is indispensable to human existence.

That seems an extravagant statement. It is true, we cannot survive as the human race, or as individuals, unless we have tenderness.

Let me put it more strongly. We cannot survive as human species unless there is a **deep seated desire** in the mature to take care of the immature, and the strong to take care of the weak.

The dog has the tenderness to take care of its young, but not its old. God gave **us** the tenderness to take care of our old and weak. That one thing, more than any other, puts us above other forms of life on this planet.

I am not saying that our old are weak here of late. The recent over-45-years-of-age-free poll tax law gives them plenty of political leverage, and I thank God for it. But they still need our help.

Let's join in this soul satisfying task of showing that we are a top human state. Let us approach this problem with an emotion of tenderness for those in the childhood of declining years as well as the growing years.

In closing, let me make this observation.

I know that the people of Alabama are expecting us to make good

on the pledge that we made the folks of the State in last year's election by making provision for the \$50 pension while you are sitting in extraordinary session. I want to thank you for this opportunity to address you and to say that thousands of our old folks—and thousands more of their kin—are anxiously awaiting your action in making this pension program the success we want it to be.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished, the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

RECESS

On motion of Mr. Hawkins the House recessed until 2:00 o'clock this afternoon.

The hour of 2:00 o'clock P.M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 4. Relative to expense allowance for each subordinate officer and employee of the Legislature.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:

By Mr. Lamberth:

S.J.R. 2. RESOLVED by the Senate, the House concurring, that when the two Houses adjourn today they adjourn to meet again on Friday, March 11th, 1955.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 2 set out in the above and foregoing Message from the Senate.

INTRODUCTION OF BILLS

The following bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Dawkins and Hawkins:

H. 43. To further provide for the general revenue of the State of Alabama; to provide for the levy, assessment, collection and distribution of the tax levied hereby; to repeal any provisions of law that conflict with this act; to provide for the general administration of this act.

Ways and Means

By Messrs. Hawkins and Dawkins:

H. 44. To raise revenue; levying an additional privilege license tax on persons, firms, or corporations engaging in the insurance business in this State, for business done in this State; and providing for the collection and enforcement thereof, and for the distribution of the proceeds thereof.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 45. To further provide for the general revenue; to amend Section 718, Title 51, Code of Alabama 1940, as amended; to amend Section 741, Title 51, Code of Alabama 1940; and to amend Section 751, Title 51, Code of Alabama 1940.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 46. To amend Sections 347, 348, and 350 of Title 51, Code of Alabama (1940), which relate to the rate of the corporation franchise taxes and the distribution of the proceeds thereof.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 47. To levy a license or privilege tax, in addition to all other taxes now imposed by law, on every person licensed under the provisions of Title 29 of the 1940 Code of Alabama who sells, stores, or receives for the purpose of distribution, malt or brewed beverages, and to provide how the tax shall be collected and distributed.

Ways and Means.

By Messrs. Hawkins, Dawkins, Brassell and Cornett:

H. 48. To make an additional appropriation to the office of the Attorney General out of any funds in the State Treasury not otherwise appropriated for the fiscal year ending September 30, 1955.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 49. To make an additional appropriation out of any funds in the State Treasury not otherwise appropriated to the Executive Department for the fiscal year ending September 30, 1955.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 50. To make an additional appropriation to the Department of Civil Defense out of any funds in the State Treasury not otherwise appropriated for the fiscal year ending September 30, 1955.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 51. To make an additional appropriation to the Department of Public Safety for the fiscal year ending September 30, 1955.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 52. To make an additional appropriation to the Secretary of State for the fiscal year ending September 30, 1955.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 53. To make an additional appropriation to Social Security for the fiscal year ending September 30, 1955.

Ways and Means.

ADJOURNMENT

On motion of Mr. Summerlin the House adjourned until Friday, March 11, 1955, at ten o'clock A.M.

THIRD DAY

House of Representatives
Montgomery, Alabama
Friday, March 11, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Frank A. Arnold, Jr., Pastor, Fairview Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards (Escambia)	Kaul	Nolen
Adams	Edwards (Jefferson)	Kelly	Oakley
Albea	Faulk	Kendall	Oden
Ashworth	Ferrell	Killough	Payne
Bagley	Franklin	Kirkham	Perry
Bassett	Gilchrist	Lackey	Pirkle
Boyd	Gist	Law	Pruitt
Bradford	Goodwyn	Lee (Barbour)	Ramey
Branyon	Gregory	Lee (Lawrence)	Reynolds
Brassell	Grouby	Locke (Choctaw)	Richardson
Brewer	Hain	Locke (Perry)	Roberts
Broadfoot	Hall	Love	Selman
Brooks	Haltom	McClendon	Shumate
Brown (Lamar)	Hanby	McKay	Simon
Brown (Lee)	Hardy	McLendon	Solomon
Burkhalter	Hare	McNider	Speaks
Callahan	Harrison	Martin	Steagall
Cornett	Harvey	Mathews	Stembridge
Cox	Hawkins	Mathison	Stokes
Crook	Hodges	Meeks	Summerlin
Davis	Holliman	Molette	Taylor
Dawkins	Huddleston	Money	Thomas
deGraffenried	Hunt	Murphy	Tyson
Dement	Jenkins	Nettles	Vacca
DeSear	Johnson (Elmore)	Nice	Ward
Dickson	Johnson (Tallapoosa)		

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has

carefully examined the Journal of the House for the second legislative day and finds the same to be correct.

RANKIN FITE,
Chairman

On motion of Mr. Dawkins, the reading at length of the Journal of the House for the second legislative day was dispensed with and the report of the Standing Committee on Rules, was concurred in and adopted, and the Journal of the Second legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions to-wit:

H. J. R. 3. Relative to Acts and Journals of the last session and of this session of the Legislature being printed and bound in the same volumes as the next session of the Legislature.

Also:

H. J. R. 7. Relative to placement of the bust of General Thomas Jonathan Jackson (better known as General Stonewall Jackson) in the Hall of Fame, New York University, New York, New York.

Also:

H. J. R. 4. Relative to expense allowance for subordinate officers and employees of the Legislature.

And finds same correctly enrolled.

RANKIN FITE,
Chairman

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Mr. Fite:

H. R. 11. Resolved, That the Justices of the Supreme Court, or a majority of them, are respectfully requested to give the House their written opinions on the following important constitutional questions which have arisen concerning the constitutionality of H. 39, a bill pending in the Legislature. H. 39 is in words and figures as follows:

A BILL TO BE ENTITLED AN ACT

Relating to Marion County; levying a county privilege license tax

on electric and hydro-electric public utilities, providing for the collection and enforcement of such tax and for the distribution and use of the proceeds thereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Each person, firm, or corporation operating an electric or hydro-electric public utility in Marion County shall pay a county privilege license tax in an amount equal to five per cent of the gross receipts of such business. The tax herein levied shall be in addition to all other taxes and licenses heretofore levied or imposed by law, and shall be due and payable in monthly installments on or before the 20th day of the month next succeeding the month in which the tax accrues.

Section 2. The books of every person, firm, or corporation operating an electric or hydro-electric public utility in Marion County shall be open to inspection by the duly authorized agents of Marion County selected or appointed for the purpose of aiding in the collection and enforcement of the tax imposed by this Act. The governing body of Marion County is hereby authorized and empowered to make such reasonable rules and regulations as may be necessary to enforce and collect the tax hereby imposed, and shall have full authority to employ such legal counsel, agents, and assistants as it deems necessary from time to time to enforce the collection of such tax or to effectuate the purposes of this Act. Such counsel, agents, and assistants as may be employed shall be paid from the proceeds of the tax collected hereunder, or from any other funds available to the county governing body.

Section 3. Any person, firm or corporation that fails to pay the tax herein levied within the time required by this Act shall pay, in addition to the tax, a penalty of ten percent of the amount of the tax due, together with interest thereon at the rate of one-half of one per cent per month, or fraction thereof, from the date on which the tax herein levied became due and payable, such penalty and interest to be assessed and collected as a part of the tax. Provided, the governing body of Marion County may waive or remit the penalty or any portion thereof if a good and sufficient reason therefor is shown.

Section 4. The tax herein levied, together with interest and penalties imposed, shall be a lien upon the property of any person, firm, or corporation due to pay said taxes under the provisions of this Act, and all of the provisions of the revenue laws of the State of Alabama applying to or with reference to the enforcement of liens for license taxes due the State of Alabama shall apply fully to the collection of the taxes levied herein, and the State Department of Revenue, when authorized by the governing body of Marion County, shall have the power and authority to collect and enforce said taxes.

Section 5. All revenue arising from the tax levied by this Act shall be used exclusively for the following purposes: 1) one-third (1/3) for the construction, maintenance, and operation of a county airport; 2) one-fourth (1/4) for the Marion County Public Building Authority; 3) five-twelfths (5/12) for the general fund in the county treasury. In the event a special public body is created by law for the purpose of constructing, maintaining, and/or operating a county airport, the revenue herein allocated to the general fund of the county for a county airport shall be paid over to such public body.

Section 6. Distributors and sellers of electricity whose business activities are not subject to regulation by the Alabama Public Service Commission shall be exempt from payment of the tax levied by this Act.

Section 7. All laws or parts of laws in conflict with the provisions of this Act, whether general, local, or special, be and the same are hereby repealed to the extent of the conflict.

Section 8. This Act shall become effective upon the first day of the month following its passage and approval by the Governor.

QUESTION 1. Is the subject of H. 39 single and clearly expressed in the title as required by Section 45 of the Constitution?

QUESTION 2. Are all the provisions of H. 39 germane, cognate, and referable to the subject expressed in the title as required by Section 45 of the Constitution?

QUESTION 3. Do the provisions of Section 4 of H. 39 amending, extending, or conferring the provisions of the general law by reference contravene Section 45 of the Constitution?

QUESTION 4. If it is duly enacted, would H. 39 violate Section 217 of the Constitution?

QUESTION 5. If H. 39 is duly enacted, would the provisions of Section 6 thereof make the act violative of Section 104(25) of the Constitution?

QUESTION 6. If duly enacted, would H. 39 be violative of Section 105 of the Constitution, considering the fact that the subject matter of the act is prohibited by the provisions of the general law contained in Section 188 of Title 51, Code of Alabama (1940)?

QUESTION 7. Would the provisions of Section 6 of H. 39, if duly enacted, render the act discriminatory and repugnant to the Due Process Clause or the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States?

Resolved further, that the Clerk of the House be directed to transmit, forthwith, seven copies of this resolution to the Clerk of the Supreme Court.

On motion of Mr. Hawkins the rules were suspended and H. R. 11 was adopted.

BILLS ON SECOND READING

Mr. Brassell, Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 18. To provide for appointment of official court reporters of the circuit courts in those circuits which are now, or which may hereafter, be composed of only one county and having not less than four nor more than nine circuit judges; to provide for their qualifications, to fix their compensation, to define their duties and provide for the appointment of special reporters in such cases; and to repeal all laws which may be in conflict herewith.

Mr. Brassell, Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 3. (With Amendment.) Relating to the Nineteenth Judicial Circuit; authorizing the circuit solicitor to appoint a stenographic secre-

tary, and providing for the payment of such secretary's compensation by the counties composing the circuit.

Mr. Brassell, Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 32. To prescribe a penalty for throwing, dumping or leaving debris, trash or rubbish on the land of another, without the owner's permission.

H. 33. To amend Section 131 of Title 23, Code of Alabama, 1940, which relates to the dumping, throwing or leaving debris, trash and rubbish on highways.

Mr. Brassell, Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 34 (With Amendment). To amend Section 211 of Title 29, Code of Alabama (1940), which relates to the officers who may issue search warrants under the law regulating the possession, sale, and distribution of intoxicating liquors and alcoholic beverages.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills, and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 22. To amend Section 255 of Title 13, Code of Alabama (1940), which relates to assistance for the circuit solicitor of the fifteenth judicial circuit.

H. 37. To amend further Section 2, Act No. 669, H. 792, approved July 5, 1940, which Act is known as the "Alabama Motor Carrier Act of 1939," (Acts, 1939, pp. 1064-1090).

H. 48. To make an additional appropriation to the office of the Attorney General out of any funds in the State Treasury not otherwise appropriated for the fiscal year ending September 30, 1955.

H. 49 To make an additional appropriation out of any funds in the State Treasury not otherwise appropriated to the Executive Department for the fiscal year ending September 30, 1955.

H. 51. To make an additional appropriation to the Department of Public Safety for the fiscal year ending September 30, 1955.

H. 52. To make an additional appropriation to the Secretary of State for the fiscal year ending September 30, 1955.

H. 53. To make an additional appropriation to Social Security for the fiscal year ending September 30, 1955.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 50 (With Amendment). To make an additional appropriation to the Department of Civil Defense out of any funds in the State Treasury

not otherwise appropriated for the fiscal year ending September 30, 1955.

Mr. Meeks, Vice-Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the calendar, to-wit:

H. 6. To amend Act No. 323, H. 35, approved August 2, 1949, which provides for a refund of a portion of the state tax paid on gasoline used to propel tractors (1949 Acts 469).

Mr. Adams, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 38. To amend Section 10 of Title 37, Code of Alabama (1940).

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 40. Relating to counties having a population of not less than 29,350 nor more than 30,350 inhabitants: to provide for a clerk in the office of the Clerk of the Circuit Court of such counties; fixing the salary, method and basis of such clerk's employment and compensation; such salary to be paid out of the general funds of such counties. To repeal all laws in conflict herewith, and to provide effective date of such act.

H. 41. To permit any bank in Colbert County, Alabama, to establish one branch bank, branch agency, additional office, or branch place of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business, subject to the approval of the State Superintendent of Banks of Alabama.

H. 42. To permit any bank having an office or place of business in any city in Colbert County, Alabama, to establish, maintain and operate, within the limits of such city or the police jurisdiction thereof, a branch or additional office or place of business, with the approval of the Superintendent of Banks of the State of Alabama.

INTRODUCTION OF BILLS

Upon a call of counties bills where introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Ferrell:

H. 54. To raise revenue; levying and providing for the collection of an additional tax on vinous liquors sold by the Alabama Alcoholic Beverage Control Board; and providing for the distribution of the proceeds thereof.

Ways and Means

By Messrs. Nice, Vacca, Ferrell, Lee (Barbour), Hanby, Meeks, Roberts, Perry and Dement:

H. 55. Relating to juvenile delinquency: To create a commission on juvenile delinquency to study problems incident to and causes of juvenile delinquency, to inform the public thereof, and to formulate and activate a program for curbing juvenile delinquency; to provide for the appointment of members thereof and their assistants; to prescribe the powers, duties and authority of the commission; and to make an annual appropriation to the commission.

Public Welfare

By Messrs. Nice, Vacca, Meeks, Perry, Harrison, Oden, Kendall, Murphy, Hawkins, Hain, Stokes, Dickson, McKay, Cornett, Ferrell and Hodges:

H. 56. Relating to judicial procedure; making exceptions to rulings of the court unnecessary and prescribing the manner of requesting and of objecting to such rulings.

Judiciary

By Messrs. Simon, Murphy and Tyson:

H. 57. To amend further Section 272 of Title 7, Code of Alabama (1940), which relates to the court reporter taking down the charge of the judge in civil and criminal cases.

Judiciary

By Messrs. Haltom and Broadfoot:

H. 58. To amend Act No. 99, H. 237, approved June 3, 1943, entitled "An Act to further provide for the general revenue of the State of Alabama," which levies a tax on liquors (Acts of 1943 Regular Session, p. 104).

Ways and Means

By Messrs. Nice, Steagall, Meeks, Perry, Vacca and Stokes:

H. 59. Relating to judicial procedure; authorizing the calling and empanelling of alternate jurors for trials in civil, criminal and equity cases.

Judiciary

BILLS ON THIRD READING

H. 1. Relating to Butler County; to provide further for the selection of the county superintendent of education, making the operation of the Act contingent upon its approval at a referendum election.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hunt	Nice
Adams	Edwards (Escambia)	Jenkins	Nolen
Albee	Faulk	Johnson (Tallapoosa)	Oden
Ashworth	Ferrell	Kelly	Payne
Bagley	Franklin	Kendall	Perry
Bassett	Gilchrist	Killough	Pirkle
Boyd	Gist	Kirkham	Ramey
Bradford	Goodwyn	Lackey	Roberts
Branyon	Gregory	Law	Selman
Brassell	Grouby	Lee (Lawrence)	Shumate
Brewer	Hain	Locke (Choctaw)	Simon
Brooks	Hall	Locke (Perry)	Speaks
Brown (Lamar)	Haltom	McNider	Steagall
Callahan	Hanby	Martin	Stembridge
Cornett	Hare	Mathison	Summerlin
Cox	Harrison	Meeks	Taylor
Crook	Hawkins	Money	Thomas
deGraffenried	Hodges	Murphy	Tyson
Dement	Holliman	Nettles	Vacca
DeSear			

RESOLUTIONS

The following resolutions were introduced:

By Mr. Summerlin:

H.J.R. 12. Be it resolved by the House of Representatives, the Senate concurring, that the Speaker shall appoint five members of the House, and the President of the Senate shall appoint four members of the Senate, as a committee to visit Fort Morgan to ascertain the extent to which Fort Morgan has been restored in accordance with the provisions of Act No. 668, H. 315, approved September 19, 1949, and to report its findings to the Legislature.

Resolved further, that the Speaker of the House and the President of the Senate shall name as members of the committee the members of the Legislature who served as members of the committee appointed in 1949 to investigate conditions at Fort Morgan.

Resolved further, that the expenses of the members of the committee, including their per diem and allowances during any interim when the Legislature is not in session, shall be paid out of funds appropriated for the use of the Legislature.

On motion of Mr. Summerlin the rules were suspended and H.J.R. 12 was adopted.

Also:

By Mr. Hawkins:

H.J.R. 13. BE IT RESOLVED by the House of Representatives, the Senate concurring, that when the two Houses adjourn today they adjourn to meet again on Tuesday, March 15, 1955.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 13 was adopted.

BILLS ON THIRD READING RESUMED

H. 2. Relating to Colbert County: To abolish the office of County Commissioner of Public Schools; To establish and restore in Colbert County the office of County Superintendent of Education; To designate and appoint a County Superintendent of Education and fix his term of office; To provide for the election of his successor and successors; To provide for the term of office, qualifications, official bond, salary, compensation and allowances of the County Superintendent of Education; To define and prescribe the duties and functions of the County Superintendent of Education; To repeal Act No. 227 of the regular session of the Legislature of Alabama of 1953 relating to Colbert County, approved July 24, 1953, and all other laws and parts of laws in conflict with this Act; And to provide for a referendum election by the qualified electors of Colbert County to pass upon the question of whether they favor the adoption of the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Boyd	Brown (Lamar)	deGraffenried
Adams	Bradford	Callahan	Dement
Albea	Branyon	Cornett	DeSear
Ashworth	Brassell	Cox	Edwards (Escambia)
Bagley	Brewer	Crook	Edwards (Jefferson)
Bassett	Brooks	Dawkins	Faulk

Ferrell	Hunt	McNider	Reynolds
Franklin	Jenkins	Martin	Richardson
Gilchrist	Johnson (Elmore)	Mathews	Roberts
Gist	Johnson (Tallapoosa)	Mathison	Shumate
Goodwyn	Kelly	Meeks	Simon
Gregory	Kendall	Molette	Speaks
Grouby	Kirkham	Money	Steagall
Hain	Lackey	Murphy	Stembridge
Hall	Law	Nettles	Stokes
Haltom	Lee (Barbour)	Nice	Summerlin
Hanby	Lee (Lawrence)	Nolen	Taylor
Hardy	Locke (Choctaw)	Oden	Thomas
Hare	Locke (Perry)	Payne	Tyson
Hawkins	McClendon	Pirkle	Vacca
Holliman	McLendon	Ramey	Ward

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And the bill:

H. 4. To alter, rearrange, and extend the boundaries of the City of Ozark in Dale County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Dickson	Jenkins	Murphy
Adams	Edwards (Escambia)	Johnson (Elmore)	Nettles
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Nolen
Ashworth	Faulk	Kelly	Oden
Bagley	Ferrell	Kendall	Payne
Bassett	Franklin	Killough	Pirkle
Boyd	Gilchrist	Kirkham	Ramey
Bradford	Gist	Lackey	Reynolds
Branyon	Goodwyn	Law	Richardson
Brassell	Gregory	Lee (Barbour)	Roberts
Brewer	Grouby	Lee (Lawrence)	Selman
Broadfoot	Hain	Locke (Choctaw)	Shumate
Brooks	Hall	Locke (Perry)	Simon
Brown (Lamar)	Haltom	McClendon	Speaks
Brown (Lee)	Hanby	McKay	Steagall
Callahan	Hardy	McLendon	Stembridge
Cornett	Hare	McNider	Stokes
Cox	Harrison	Martin	Taylor
Crook	Hawkins	Mathews	Thomas
Dawkins	Hodges	Mathison	Tyson
deGraffenried	Holliman	Molette	Vacca
Dement	Hunt	Money	Ward
DeSear			

—89

And the bill:

H. 7. To authorize and empower the Register of the Circuit Court in Equity of Madison County, Alabama, to appoint a Chief Clerk, and to fix the salary and to provide the method of payment of salary of said Chief Clerk.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Elmore)	Nettles
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Nolen
Albea	Edwards (Jefferson)	Kelly	Oden
Ashworth	Faulk	Kendall	Payne
Bagley	Ferrell	Killough	Pirkle
Bassett	Franklin	Kirkham	Ramey
Boyd	Gilchrist	Lackey	Reynolds
Bradford	Gist	Law	Richardson
Branyon	Goodwyn	Lee (Barbour)	Roberts
Brassell	Gregory	Lee (Lawrence)	Selman
Brewer	Grouby	Locke (Choctaw)	Shumate
Broadfoot	Hain	Locke (Perry)	Simon
Brooks	Hall	Love	Speaks
Brown (Lamar)	Haltom	McClendon	Steagall
Brown (Lee)	Hanby	McKay	Stembridge
Callahan	Hardy	McLendon	Stokes
Cornett	Hare	McNider	Summerlin
Cox	Harrison	Martin	Taylor
Crook	Hawkins	Mathews	Thomas
Dawkins	Hodges	Mathison	Tyson
deGraffenried	Holliman	Molette	Vacca
Dement	Hunt	Money	Ward
DeSear	Jenkins	Murphy	

—91

And the bill:

H. 8. Relating to Marion County: To authorize the county governing body to employ an industrial development agent for the County, fix his terms of employment and compensation, and prescribe his duties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	deGraffenried	Hawkins	McNider
Adams	Dement	Hodges	Martin
Albea	DeSear	Holliman	Mathews
Ashworth	Dickson	Hunt	Mathison
Bagley	Edwards (Escambia)	Jenkins	Molette
Bassett	Edwards (Jefferson)	Johnson (Elmore)	Money
Boyd	Ferrell	Johnson (Tallapoosa)	Murphy
Bradford	Franklin	Kelly	Nettles
Branyon	Gilchrist	Kendall	Nice
Brassell	Gist	Killough	Nolen
Brewer	Goodwyn	Kirkham	Oden
Broadfoot	Gregory	Lackey	Payne
Brooks	Grouby	Law	Pirkle
Brown (Lamar)	Hain	Lee (Barbour)	Ramey
Brown (Lee)	Hall	Lee (Lawrence)	Reynolds
Callahan	Haltom	Locke (Choctaw)	Richardson
Cornett	Hanby	Locke (Perry)	Roberts
Cox	Hardy	McClendon	Selman
Crook	Hare	McKay	Shumate
Dawkins	Harrison	McLendon	Simon

Speaks	Stokes	Thomas	Vacca
Steagall	Summerlin	Tyson	Ward
Stembridge	Taylor		

—90

And the bill:

H. 9. Relating to Marion County: To establish the Marion County Court; to define its jurisdiction and powers; to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge to fix the time of sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the county court for Marion County and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Marion County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson ^(Elmore)	Nice
Adams	Edwards ^(Escambia)	Johnson ^(Tallapoosa)	Nolen
Albea	Edwards ^(Jefferson)	Kelly	Oden
Ashworth	Ferrell	Kendall	Payne
Bagley	Franklin	Killough	Pirkle
Bassett	Gilchrist	Kirkham	Ramey
Boyd	Gist	Lackey	Reynolds
Bradford	Goodwyn	Law	Richardson
Branyon	Gregory	Lee ^(Barbour)	Roberts
Brassell	Grouby	Lee ^(Lawrence)	Selman
Brewer	Hain	Locke ^(Choctaw)	Shumate
Broadfoot	Hall	Locke ^(Perry)	Simon
Brooks	Haltom	McClendon	Speaks
Brown ^(Lamar)	Hanby	McKay	Steagall
Brown ^(Lee)	Hardy	McLendon	Stembridge
Callahan	Hare	McNider	Stokes
Cornett	Harrison	Martin	Summerlin
Cox	Harvey	Mathews	Taylor
Crook	Hawkins	Mathison	Thomas
Dawkins	Hodges	Molette	Tyson
deGraffenried	Holliman	Money	Vacca
Dement	Hunt	Murphy	Ward
DeSear	Jenkins	Nettles	

—91

And the bill:

H. 10. Relating to Marion County: To provide further for the distribution of fines and forfeitures in certain cases.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Albea	Bagley	Boyd
Adams	Ashworth	Bassett	Bradford

Branyon	Gist	Killough	Oden
Brassell	Goodwyn	Kirkham	Payne
Brewer	Gregory	Lackey	Pirkle
Broadfoot	Grouby	Law	Ramey
Brooks	Hain	Lee (Barbour)	Reynolds
Brown (Lamar)	Hall	Lee (Lawrence)	Richardson
Brown (Lee)	Haltom	Locke (Choctaw)	Roberts
Callahan	Hanby	Locke (Perry)	Selman
Cornett	Hardy	McClendon	Shumate
Cox	Hare	McKay	Simon
Crook	Harrison	McLendon	Speaks
Dawkins	Harvey	McNider	Steagall
deGraffenried	Hawkins	Martin	Stembridge
Dement	Hodges	Mathews	Stokes
DeSear	Holliman	Mathison	Summerlin
Dickson	Hunt	Molette	Taylor
Edwards (Escambia)	Jenkins	Money	Thomas
Edwards (Jefferson)	Johnson (Elmore)	Murphy	Tyson
Ferrell	Johnson (Tallapoosa)	Nettles	Vacca
Franklin	Kelly	Nice	Ward
Gilchrist	Kendall	Nolen	

—91

And the bill:

H. 11. Relating to Mobile County; withdrawing and taking away from justices of the peace and notaries public ex officio jurisdiction in certain cases; forbidding justices of the peace and notaries public ex officio to exercise any jurisdiction in criminal or quasi-criminal cases of garnishment and attachment proceedings, making it a misdemeanor for a justice of the peace or notary ex officio, his agent or clerk, to issue a writ of garnishment or attachment, and prescribing a penalty therefor; declaring that a writ of garnishment or attachment issued by a justice shall be null and void; and transferring pending cases and proceedings to the Inferior Criminal Court of Mobile County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dawkins	Hare	Locke (Perry)
Adams	deGraffenried	Harrison	McClendon
Albea	Dement	Harvey	McKay
Ashworth	DeSear	Hawkins	McLendon
Bagley	Dickson	Hodges	McNider
Bassett	Edwards (Escambia)	Holliman	Martin
Boyd	Edwards (Jefferson)	Hunt	Mathews
Bradford	Ferrell	Jenkins	Mathison
Branyon	Franklin	Johnson (Elmore)	Molette
Brassell	Gilchrist	Johnson (Tallapoosa)	Money
Brewer	Gist	Kelly	Murphy
Broadfoot	Goodwyn	Kendall	Nettles
Brooks	Gregory	Killough	Nice
Brown (Lamar)	Grouby	Kirkham	Nolen
Brown (Lee)	Hain	Lackey	Oden
Callahan	Hall	Law	Payne
Cornett	Haltom	Lee (Barbour)	Pirkle
Cox	Hanby	Lee (Lawrence)	Ramey
Crook	Hardy	Locke (Choctaw)	Reynolds

Richardson	Simon	Stokes	Tyson
Roberts	Speaks	Summerlin	Vacca
Selman	Steagall	Taylor	Ward
Shumate	Stembridge	Thomas	

—91

And the bill:

H. 12. To authorize the County Treasurer of Mobile County to appoint an Assistant Treasurer of Mobile County; to provide the qualifications of such Assistant Treasurer, the term of office of such Assistant Treasurer, the duties to be performed by such Assistant Treasurer; the bond required of such Assistant Treasurer, and the method of paying the premium of such bond; the compensation of such Assistant Treasurer, and the manner and method of the payment thereof; and fixing the time at which said Act shall go into effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Elmore)	Nice
Adams	Edwards (Escambia)	Johnson (Tallahassee)	Nolen
Albea	Edwards (Jefferson)	Kelly	Oden
Ashworth	Ferrell	Kendall	Payne
Bagley	Franklin	Killough	Pirkle
Bassett	Gilchrist	Kirkham	Ramey
Boyd	Gist	Lackey	Reynolds
Bradford	Goodwyn	Law	Richardson
Branyon	Gregory	Lee (Barbour)	Roberts
Brassell	Grouby	Lee (Lawrence)	Selman
Brewer	Hain	Locke (Choctaw)	Shumate
Broadfoot	Hall	Locke (Perry)	Simon
Brooks	Haltom	McClendon	Speaks
Brown (Lamar)	Hanby	McKay	Steagall
Brown (Lee)	Hardy	McLendon	Stembridge
Callahan	Hare	McNider	Stokes
Cornett	Harrison	Martin	Summerlin
Cox	Harvey	Mathews	Taylor
Crook	Hawkins	Mathison	Thomas
Dawkins	Hodges	Molette	Tyson
deGraffenried	Holliman	Money	Vacca
Dement	Hunt	Murphy	Ward
DeSear	Jenkins	Nettles	

—91

And the bill:

H. 13. To extend the term of office of the members of the Board of Revenue and Road Commissioners of Mobile County, Alabama, for a period of two years from the expiration of their present term of office; to provide how, when and for what term of office their successors shall be elected and to repeal only those laws, or parts of laws, which are in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Elmore)	Nice
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Nolen
Albea	Edwards (Jefferson)	Kelly	Oden
Ashworth	Ferrell	Kendall	Payne
Bagley	Franklin	Killough	Pirkle
Bassett	Gilchrist	Kirkham	Ramey
Boyd	Gist	Lackey	Reynolds
Bradford	Goodwyn	Law	Richardson
Branyon	Gregory	Lee (Barbour)	Roberts
Brassell	Grouby	Lee (Lawrence)	Selman
Brewer	Hain	Locke (Choctaw)	Shumate
Broadfoot	Hall	Locke (Perry)	Simon
Brooks	Haltom	McClendon	Speaks
Brown (Lamar)	Hanby	McKay	Steagall
Brown (Lee)	Hardy	McLendon	Stembridge
Callahan	Hare	McNider	Stokes
Cornett	Harrison	Martin	Summerlin
Cox	Harvey	Mathews	Taylor
Crook	Hawkins	Mathison	Thomas
Dawkins	Hodges	Molette	Tyson
deGraffenried	Holliman	Money	Vacca
Dement	Hunt	Murphy	Ward
DeSear	Jenkins	Nettles	

—91

And the bill:

H. 14. Relating to Mobile County; to confer additional civil jurisdiction upon the Inferior Criminal Court of Mobile County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Elmore)	Nice
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Nolen
Albea	Edwards (Jefferson)	Kelly	Oden
Ashworth	Ferrell	Kendall	Payne
Bagley	Franklin	Killough	Pirkle
Bassett	Gilchrist	Kirkham	Ramey
Boyd	Gist	Lackey	Reynolds
Bradford	Goodwyn	Law	Richardson
Branyon	Gregory	Lee (Barbour)	Roberts
Brassell	Grouby	Lee (Lawrence)	Selman
Brewer	Hain	Locke (Choctaw)	Shumate
Broadfoot	Hall	Locke (Perry)	Simon
Brooks	Haltom	McClendon	Speaks
Brown (Lamar)	Hanby	McKay	Steagall
Brown (Lee)	Hardy	McLendon	Stembridge
Callahan	Hare	McNider	Stokes
Cornett	Harrison	Martin	Summerlin
Cox	Harvey	Mathews	Taylor
Crook	Hawkins	Mathison	Thomas
Dawkins	Hodges	Molette	Tyson
deGraffenried	Holliman	Money	Vacca
Dement	Hunt	Murphy	Ward
DeSear	Jenkins	Nettles	

—91

And the bill:

H. 15 (with amendment). Relating to Mobile County: To amend an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), as amended, entitled "An Act To place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer;" to provide for the compensation of the chief deputy sheriff; to provide for the appointment and compensation of an assistant chief deputy sheriff and a chief clerk in the office of the sheriff; and to provide for the official bond of the chief deputy sheriff, assistant chief deputy sheriff, and the chief clerk.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

LL No. 1

Amendment of H. 15. On line 32, page 2, change the period following the date "September 15, 1939" to a semicolon and add the following:

Provided, however, that the chief deputy sheriff, the assistant chief deputy sheriff, and the chief clerk, shall be qualified electors of Mobile County at the time of their appointment and during their continuance in office.

And the amendment was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson ^(Elmore)	Nice
Adams	Edwards ^(Escambia)	Johnson ^(Tallapoosa)	Nolen
Albea	Edwards ^(Jefferson)	Kelly	Oden
Ashworth	Ferrell	Kendall	Payne
Bagley	Franklin	Killough	Pirkle
Bassett	Gilchrist	Kirkham	Ramey
Boyd	Gist	Lackey	Reynolds
Bradford	Goodwyn	Law	Richardson
Branyon	Gregory	Lee ^(Barbour)	Roberts
Brassell	Grouby	Lee ^(Lawrence)	Selman
Brewer	Hain	Locke ^(Choctaw)	Shumate
Broadfoot	Hall	Locke ^(Perry)	Simon
Brooks	Haltom	McClendon	Speaks
Brown ^(Lamar)	Hanby	McKay	Steagall
Brown ^(Lee)	Hardy	McLendon	Stembridge
Callahan	Hare	McNider	Stokes
Cornett	Harrison	Martin	Summerlin
Cox	Harvey	Mathews	Taylor
Crook	Hawkins	Mathison	Thomas
Dawkins	Hodges	Molette	Tyson
deGraffenried	Holliman	Money	Vacca
Dement	Hunt	Murphy	Ward
DeSear	Jenkins	Nettles	

And said bill, H. 15, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson ^(Elmore)	Nice
Adams	Edwards ^(Escambia)	Johnson ^(Tallapoosa)	Nolen
Albea	Edwards ^(Jefferson)	Kelly	Oden
Ashworth	Ferrell	Kendall	Payne
Bagley	Franklin	Killough	Pirkle
Bassett	Gilchrist	Kirkham	Ramey
Boyd	Gist	Lackey	Reynolds
Bradford	Goodwyn	Law	Richardson
Branyon	Gregory	Lee ^(Barbour)	Roberts
Brassell	Grouby	Lee ^(Lawrence)	Selman
Brewer	Hain	Locke ^(Choctaw)	Shumate
Broadfoot	Hall	Locke ^(Perry)	Simcn
Brooks	Haltom	McClendon	Speaks
Brown ^(Lamar)	Hanby	McKay	Steagall
Brown ^(Lee)	Hardy	McLendon	Stembridge
Callahan	Hare	McNider	Stokes
Cornett	Harrison	Martin	Summerlin
Cox	Harvey	Mathews	Taylor
Crook	Hawkins	Mathison	Thomas
Dawkins	Hodges	Molette	Tyson
deGraffenried	Holliman	Money	Vacca
Dement	Hunt	Murphy	Ward
DeSear	Jenkins	Nettles	

—91

And the bill:

H. 16. To establish in Mobile County, Alabama, the positions of Administrative Assistant to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama and Legal Stenographer to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama; to prescribe their duties; to fix their term of employment and to prescribe their compensation and provide for the payment of their compensation out of the General Fund of Mobile County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Brown ^(Lamar)	Ferrell	Harrison
Adams	Brown ^(Lee)	Franklin	Harvey
Albea	Callahan	Gilchrist	Hawkins
Ashworth	Cornett	Gist	Hodges
Bagley	Cox	Goodwyn	Holliman
Bassett	Crook	Gregory	Hunt
Boyd	Dawkins	Grouby	Jenkins
Bradford	deGraffenried	Hain	Johnson ^(Elmore)
Branyon	Dement	Hall	Johnson ^(Tallapoosa)
Brassell	DeSear	Haltom	Kelly
Brewer	Dickson	Hanby	Kendall
Broadfoot	Edwards ^(Escambia)	Hardy	Killough
Brooks	Edwards ^(Jefferson)	Hare	Kirkham

Lackey	Martin	Payne	Steagall
Law	Mathews	Pirkle	Stembridge
Lee (Barbour)	Mathison	Ramey	Stokes
Lee (Lawrence)	Molette	Reynolds	Summerlin
Locke (Choctaw)	Money	Richardson	Taylor
Locke (Perry)	Murphy	Roberts	Thomas
McClendon	Nettles	Selman	Tyson
McKay	Nice	Shumate	Vacca
McLendon	Nolen	Simon	Ward
McNider	Oden	Speaks	

—91

And the bill:

H. 19. To extend the term of office of Commissioner of Licenses in all counties of this State having a population of not less than 235,000 nor more than 400,000, according to the last or any subsequent Federal census, for a period of two years from the expiration of their present term of office; to provide how, when and for what term of office their successors shall be elected and to repeal only those laws, or parts of law, which are in conflict herewith.

Was taken up.

Messrs. Simon and Murphy offered the following amendment to the bill, H. 19:

Amend H.B. 19 by striking out the figures "235,000" wherever the same appear in the caption and the body of the bill and insert in lieu thereof the figures "230,000."

And the amendment was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dicksen	Johnson (Elmore)	Nice
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Nolen
Albea	Edwards (Jefferson)	Kelly	Oden
Ashworth	Ferrell	Kendall	Payne
Bagley	Franklin	Killough	Pirkle
Bassett	Gilchrist	Kirkham	Ramey
Boyd	Gist	Lackey	Reynolds
Bradford	Goodwyn	Law	Richardson
Branyon	Gregory	Lee (Barbour)	Roberts
Brassell	Grouby	Lee (Lawrence)	Selman
Brewer	Hain	Locke (Choctaw)	Shumate
Broadfoot	Hall	Locke (Perry)	Simon
Brooks	Haltom	McClendon	Speaks
Brown (Lamar)	Hanby	McKay	Steagall
Brown (Lee)	Hardy	McLendon	Stembridge
Callahan	Hare	McNider	Stokes
Cornett	Harrison	Martin	Summerlin
Cox	Harvey	Mathews	Taylor
Crook	Hawkins	Mathison	Thomas
Dawkins	Hodges	Molette	Tyson
deGraffenried	Holliman	Money	Vacca
Dement	Hunt	Murphy	Ward
DeSear	Jenkins	Nettles	

—91

And said bill, H. 19, as thus amended, was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Elmore)	Nice
Adams	Edwards (Escambia)	Johnson (Tallahpoosa)	Nolen
Albea	Edwards (Jefferson)	Kelly	Oden
Ashworth	Ferrell	Kendall	Payne
Bagley	Franklin	Killough	Pirkle
Bassett	Gilchrist	Kirkham	Ramey
Boyd	Gist	Lackey	Reynolds
Bradford	Goodwyn	Law	Richardson
Branyon	Gregory	Lee (Barbour)	Roberts
Brassell	Grouby	Lee (Lawrence)	Selman
Brewer	Hain	Locke (Choctaw)	Shumate
Broadfoot	Hall	Locke (Perry)	Simon
Brooks	Haltom	McClendon	Speaks
Brown (Lamar)	Hanby	McKay	Steagall
Brown (Lee)	Hardy	McLendon	Stembridge
Callahan	Hare	McNider	Stokes
Cornett	Harrison	Martin	Summerlin
Cox	Harvey	Mathews	Taylor
Crook	Hawkins	Mathison	Thomas
Dawkins	Hodges	Molette	Tyson
deGraffenried	Holliman	Money	Vacca
Dement	Hunt	Murphy	Ward
DeSear	Jenkins	Nettles	

—91

And the bill:

H. 20. To extend the term of the office of coroner in all counties of this State having a population of not less than 235,000 inhabitants nor more than 400,000 inhabitants, according to the last or any subsequent decennial federal census, for a period of two years from the expiration of their present term of office; and to provide for the election and term of office of their successors.

Was taken up.

Messrs. Simon and Murphy offered the following amendment to the bill, H. 20:

Amend H.B. 20 by striking out the figures "235,000" wherever the same appear in the caption and the body of the bill and insert in lieu thereof the figures "230,000."

And the amendment was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Branyon	Cornett	Edwards (Escambia)
Adams	Brassell	Cox	Edwards (Jefferson)
Albea	Brewer	Crook	Ferrell
Ashworth	Broadfoot	Dawkins	Franklin
Bagley	Brooks	deGraffenried	Gilchrist
Bassett	Brown (Lamar)	Dement	Gist
Boyd	Brown (Lee)	DeSear	Goodwyn
Bradford	Callahan	Dickson	Gregory

Grouby	Johnson (Tallapoosa)	Martin	Roberts
Hain	Kelly	Mathews	Selman
Hall	Kendall	Mathison	Shumate
Haltom	Killough	Molette	Simon
Hanby	Kirkham	Money	Speaks
Hardy	Lackey	Murphy	Steagall
Hare	Law	Nettles	Stembridge
Harrison	Lee (Barbour)	Nice	Stokes
Harvey	Lee (Lawrence)	Nolen	Summerlin
Hawkins	Locke (Choctaw)	Oden	Taylor
Hodges	Locke (Perry)	Payne	Thomas
Holliman	McClendon	Pirkle	Tyson
Hunt	McKay	Ramey	Vacca
Jenkins	McLendon	Reynolds	Ward
Johnson (Elmore)	McNider	Richardson	

—91

And the bill, H. 20, as thus amended, was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Elmore)	Nice
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Nolen
Albea	Edwards (Jefferson)	Kelly	Oden
Ashworth	Ferrell	Kendall	Payne
Bagley	Franklin	Killough	Pirkle
Bassett	Gilchrist	Kirkham	Ramey
Boyd	Gist	Lackey	Reynolds
Bradford	Goodwyn	Law	Richardson
Branyon	Gregory	Lee (Barbour)	Roberts
Brassell	Grouby	Lee (Lawrence)	Selman
Brewer	Hain	Locke (Choctaw)	Shumate
Broadfoot	Hall	Locke (Perry)	Simon
Brooks	Haltom	McLendon	Speaks
Brown (Lamar)	Hanby	McKay	Steagall
Brown (Lee)	Hardy	McClendon	Stembridge
Callahan	Hare	McNider	Stokes
Cornett	Harrison	Martin	Summerlin
Cox	Harvey	Mathews	Taylor
Crook	Hawkins	Mathison	Thomas
Dawkins	Hodges	Molette	Tyson
deGraffenried	Holliman	Money	Vacca
Dement	Hunt	Murphy	Ward
DeSear	Jenkins	Nettles	

—91

And the bill:

H. 23. Relating to Russell County; providing for the reidentification of each qualified elector of Russell County; requiring the board of registrars to purge the list of registered voters; and providing a penalty for wilfully making a false statement in connection with reidentification.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Albea	Bagley	Boyd
Adams	Ashworth	Bassett	Bradford

Branyon	Goodwyn	Kirkham	Oden
Brassell	Gregory	Lackey	Payne
Brewer	Grouby	Law	Perry
Broadfoot	Hain	Lee (Barbour)	Pirkle
Brooks	Hall	Lee (Lawrence)	Ramey
Brown (Lamar)	Haltom	Locke (Choctaw)	Reynolds
Brown (Lee)	Hanby	Locke (Perry)	Richardson
Callahan	Hardy	McClendon	Roberts
Cornett	Hare	McKay	Selman
Cox	Harrison	McLendon	Shumate
Crook	Harvey	McNider	Simon
Dawkins	Hawkins	Martin	Speaks
deGraffenried	Hodges	Mathews	Steagall
Dement	Holliman	Mathison	Stembridge
DeSear	Hunt	Meeks	Stokes
Dickson	Jenkins	Molette	Summerlin
Edwards (Escambia)	Johnson (Elmore)	Money	Taylor
Edwards (Jefferson)	Johnson (Tallapoosa)	Murphy	Thomas
Ferrell	Kaul	Nettles	Tyson
Franklin	Kelly	Nice	Vacca
Gilchrist	Kendall	Nolen	Ward
Gist	Killough		

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And the bill:

H. 26. Relating to Crenshaw County: Authorizing the sheriff to appoint an additional deputy, and providing for the payment of the compensation of such deputy.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Elmore)	Nice
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Nolen
Albea	Edwards (Jefferson)	Kelly	Oden
Ashworth	Ferrell	Kendall	Payne
Bagley	Franklin	Killough	Pirkle
Bassett	Gilchrist	Kirkham	Ramey
Boyd	Gist	Lackey	Reynolds
Bradford	Goodwyn	Law	Richardson
Branyon	Gregory	Lee (Barbour)	Roberts
Brassell	Grouby	Lee (Lawrence)	Selman
Brewer	Hain	Locke (Choctaw)	Shumate
Broadfoot	Hall	Locke (Perry)	Simon
Brooks	Haltom	McClendon	Speaks
Brown (Lamar)	Hanby	McKay	Steagall
Brown (Lee)	Hardy	McLendon	Stembridge
Callahan	Hare	McNider	Stokes
Cornett	Harrison	Martin	Summerlin
Cox	Harvey	Mathews	Taylor
Crook	Hawkins	Mathison	Thomas
Dawkins	Hodges	Molette	Tyson
deGraffenried	Holliman	Money	Vacca
Dement	Hunt	Murphy	Ward
DeSear	Jenkins	Nettles	

—91

And the bill:

H. 27. To permit banks now or hereafter having a combined paid-in capital and paid-in or earned surplus of more than One Million Dollars and situated in Counties having a population according to the 1950 or any subsequent decennial census of the United States of not less than 94,000 inhabitants nor more than 135,000 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such County in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the State Superintendent of Banks.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson ^(Elmore)	Nice
Adams	Edwards ^(Escambia)	Johnson ^(Tallapoosa)	Nolen
Albea	Edwards ^(Jefferson)	Kelly	Oden
Ashworth	Ferrell	Kendall	Payne
Bagley	Franklin	Killough	Pirkle
Bassett	Gilchrist	Kirkham	Ramey
Boyd	Gist	Lackey	Reynolds
Bradford	Goodwyn	Law	Richardson
Branyon	Gregory	Lee ^(Barbour)	Roberts
Brassell	Grouby	Lee ^(Lawrence)	Selman
Brewer	Hain	Locke ^(Choctaw)	Shumate
Broadfoot	Hall	Locke ^(Perry)	Simon
Brooks	Haltom	McClendon	Speaks
Brown ^(Lamar)	Hanby	McKay	Steagall
Brown ^(Lee)	Hardy	McLendon	Stembridge
Callahan	Hare	McNider	Stokes
Cornett	Harrison	Martin	Summerlin
Cox	Harvey	Mathews	Taylor
Crook	Hawkins	Mathison	Thomas
Dawkins	Hodges	Molette	Tyson
deGraffenried	Holliman	Money	Vacca
Dement	Hunt	Murphy	Ward
DeSear	Jenkins	Nettles	

—91

And the bill:

H. 28. Relating to Tuscaloosa County; To amend Section 1 of Act No. 129, approved June 12, 1935 (Local Acts of Alabama, 1935, Page 62 entitled "An Act To Fix The Compensation Or Salary To Be Paid The Judge Of Probate Of Tuscaloosa County, Alabama," etc.)

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Bagley	Branyon	Brooks
Adams	Bassett	Brassell	Brown ^(Lamar)
Albea	Boyd	Brewer	Brown ^(Lee)
Ashworth	Bradford	Broadfoot	Callahan

Cornett	Haltom	Lee (Barbour)	Pirkle
Cox	Hanby	Lee (Lawrence)	Ramey
Crook	Hardy	Locke (Choctaw)	Reynolds
Dawkins	Hare	Locke (Perry)	Richardson
deGraffenried	Harrison	McClendon	Roberts
Dement	Harvey	McKay	Selman
DeSear	Hawkins	McLendon	Shumate
Dickson	Hodges	McNider	Simon
Edwards (Escambia)	Holliman	Martin	Speaks
Edwards (Jefferson)	Hunt	Mathews	Steagall
Ferrell	Jenkins	Mathison	Stembridge
Franklin	Johnson (Elmore)	Molette	Stokes
Gilchrist	Johnson (Tallapoosa)	Money	Summerlin
Gist	Kelly	Murphy	Taylor
Goodwyn	Kendall	Nettles	Thomas
Gregory	Killough	Nice	Tyson
Grouby	Kirkham	Nolen	Vacca
Hain	Lackey	Oden	Ward
Hall	Law	Payne	

—91

And the bill:

H. 30. To apply in all counties having a population of not less than 63,700 nor more than 70,000, according to the last or any subsequent federal decennial census; authorizing and directing the county governing body to provide the coroner with office space, certain equipment, furniture, supplies, and services at the expense of the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Elmore)	Nice
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Nolen
Albea	Edwards (Jefferson)	Kelly	Oden
Ashworth	Ferrell	Kendall	Payne
Bagley	Franklin	Killough	Pirkle
Bassett	Gilchrist	Kirkham	Ramey
Boyd	Gist	Lackey	Reynolds
Bradford	Goodwyn	Law	Richardson
Branyon	Gregory	Lee (Barbour)	Roberts
Brassell	Grouby	Lee (Lawrence)	Selman
Brewer	Hain	Locke (Choctaw)	Shumate
Broadfoot	Hall	Locke (Perry)	Simon
Brooks	Haltom	McClendon	Speaks
Brown (Lamar)	Hanby	McKay	Steagall
Brown (Lee)	Hardy	McLendon	Stembridge
Callahan	Hare	McNider	Stokes
Cornett	Harrison	Martin	Summerlin
Cox	Harvey	Mathews	Taylor
Crook	Hawkins	Mathison	Thomas
Dawkins	Hodges	Molette	Tyson
deGraffenried	Holliman	Money	Vacca
Dement	Hunt	Murphy	Ward
DeSear	Jenkins	Nettles	

—91

And the bill:

H. 31. To repeal Act No. 336 of the Legislature of Alabama of 1951, entitled "An Act Relating to Winston County: To prevent the disclosure of the identity of persons drawn or summoned for jury service at any session of court prior to the beginning of the session; and prescribing penalties for violation of this Act," approved August 1, 1951 (Acts of Alabama, 1951, page 624).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson ^(Elmore)	Nice
Adams	Edwards ^(Escambia)	Johnson ^(Tallapoosa)	Nolen
Albea	Edwards ^(Jefferson)	Kelly	Oden
Ashworth	Ferrell	Kendall	Payne
Bagley	Franklin	Killough	Pirkle
Bassett	Gilchrist	Kirkham	Ramey
Boyd	Gist	Lackey	Reynolds
Bradford	Goodwyn	Law	Richardson
Branyon	Gregory	Lee ^(Barbour)	Roberts
Brassell	Grouby	Lee ^(Lawrence)	Selman
Brewer	Hain	Locke ^(Choctaw)	Shumate
Broadfoot	Hall	Locke ^(Perry)	Simon
Brooks	Haltom	McClendon	Speaks
Brown ^(Lamar)	Hanby	McKay	Steagall
Brown ^(Lee)	Hardy	McLendon	Stembridge
Callahan	Hare	McNider	Stokes
Cornett	Harrison	Martin	Summerlin
Cox	Harvey	Mathews	Taylor
Crook	Hawkins	Mathison	Thomas
Dawkins	Hodges	Molette	Tyson
deGraffenried	Holliman	Money	Vacca
Dement	Hunt	Murphy	Ward
DeSear	Jenkins	Nettles	

—91

And the bill:

H. 25. To repeal an Act approved September 5, 1951 (Act No. 694, S. 580, Acts of Alabama, 1951, p. 1195), entitled "An Act Relating to public welfare; providing for monetary contributions to the support of certain needy persons by certain relatives thereof; prescribing the procedure for obtaining such contributions; making needy persons with certain relatives liable to contribute to their support ineligible to receive public assistance; imposing additional duties on county departments of public welfare, county solicitors and deputy circuit solicitors in connection with the administration of the Act; and authorizing the Commissioner of Public Welfare to promulgate rules and regulations for carrying out the purposes of the Act.

Was taken up.

Messrs. Adams and Mathews offered the following amendment to the bill, H. 25:

Amendment to H. 25:

Amend section 2 of the bill to read as follows:

Section 2. This Act shall become effective May 1, 1955.

On motion of Mr. Hawkins, the motion of Mr. Gilchrist to postpone

further consideration of the bill, H. 25, and pending amendment, until the next legislative day, was laid upon the table.

Yeas 52; Nays 41.

Yeas:

Mr. Speaker	Dawkins	Johnson (Elmore)	Nettles
Adams	Dement	Johnson (Tallapoosa)	Nice
Albea	Edwards (Escambia)	Kelly	Oakley
Ashworth	Ferrell	Kirkham	Oden
Bagley	Franklin	Law	Payne
Bassett	Gist	Lee (Lawrence)	Pirkle
Branyon	Gregory	McKay	Selman
Brassell	Hall	McNider	Shumate
Broadfoot	Hanby	Martin	Simon
Brown (Lamar)	Hare	Mathews	Speaks
Callahan	Hawkins	Mathison	Steagall
Cornett	Hodges	Money	Stembridge
Cox	Jenkins	Murphy	Taylor

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Nays:

Messrs:	Gilchrist	Kendall	Perry
Boyd	Goodwyn	Killough	Pruitt
Bradford	Grouby	Lackey	Reynolds
Brooks	Hain	Lee (Barbour)	Richardson
Brown (Lee)	Haltom	Locke (Choctaw)	Roberts
Crook	Hardy	Locke (Perry)	Stokes
deGraffenried	Harrison	McLendon	Summerlin
DeSear	Harvey	Meeks	Thomas
Dickson	Holliman	Molette	Tyson
Edwards (Jefferson)	Huddleston	Nolen	Ward
Faulk	Kaul		

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And the amendment offered by Messrs. Adams and Mathews was adopted.

Yeas 95; Nays 2.

Yeas:

Mr. Speaker	deGraffenried	Hanby	Lackey
Adams	Dement	Hardy	Law
Ashworth	DeSear	Hare	Lee (Barbour)
Bagley	Dickson	Harrison	Lee (Lawrence)
Bassett	Edwards (Escambia)	Harvey	Locke (Choctaw)
Boyd	Edwards (Jefferson)	Hawkins	Locke (Perry)
Bradford	Faulk	Hodges	McClendon
Branyon	Ferrell	Holliman	McKay
Brassell	Franklin	Hunt	McLendon
Brewer	Gilchrist	Jenkins	McNider
Broadfoot	Gist	Johnson (Elmore)	Martin
Brooks	Goodwyn	Johnson (Tallapoosa)	Mathews
Brown (Lamar)	Gregory	Kaul	Mathison
Callahan	Grouby	Kelly	Meeks
Cornett	Hain	Kendall	Molette
Cox	Hall	Killough	Money
Crook	Haltom	Kirkham	Murphy
Dawkins			

Nettles	Pirkle	Shumate	Stokes
Nice	Pruitt	Simon	Summerlin
Nolen	Ramey	Solomon	Taylor
Oakley	Reynolds	Speaks	Thomas
Oden	Richardson	Steagall	Tyson
Payne	Roberts	Stembridge	Ward
Perry	Selman		

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Nays:

Messrs: Albea Huddleston

—2

Mr. Haltom offered the following amendment to the bill, H. 25, as amended:

Amendment of H. 25, as Amended. Strike out Section 2 of the bill and insert the following:

Section 2. This Act shall become effective October 1, 1955.

On motion of Mr. Hawkins the amendment offered by Mr. Haltom was laid upon the table.

And said bill, H. 25, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 9.

Yeas:

Mr. Speaker	Dement	Johnson ^(Elmore)	Nice
Adams	DeSear	Johnson ^(Tallapoosa)	Nolen
Albea	Dickson	Kelly	Oakley
Ashworth	Edwards ^(Escambia)	Kendall	Oden
Bagley	Ferrell	Killough	Payne
Bassett	Franklin	Kirkham	Pirkle
Boyd	Gist	Lackey	Ramey
Bradford	Goodwyn	Law	Richardson
Branyon	Gregory	Lee ^(Barbour)	Selman
Brassell	Grouby	Lee ^(Lawrence)	Shumate
Brewer	Hain	Locke ^(Choctaw)	Simon
Broadfoot	Hall	Locke ^(Perry)	Speaks
Brooks	Haltom	McClendon	Steagall
Brown ^(Lamar)	Hanby	McKay	Stembridge
Burkhalter	Hare	McNider	Stokes
Callahan	Harrison	Martin	Taylor
Cornett	Hawkins	Mathews	Thomas
Cox	Hodges	Mathison	Tyson
Davis	Holliman	Money	Vacca
Dawkins	Hunt	Murphy	Ward
deGraffenried	Jenkins	Nettles	

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Nays:

Messrs: Gilchrist McLendon Reynolds
 Brown^(Lee) Hardy Molette Roberts
 Crook Huddleston

—9

On motion of Mr. Adams, his motion to reconsider the vote by which the bill, H. 25, as amended, was passed, was laid upon the table.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bills with the original bills and finds same correctly engrossed, to-wit:

H. 19. To extend the term of office of Commissioner of Licenses in all counties of this State having a population of not less than 230,000 nor more than 400,000, according to the last or any subsequent Federal census, for a period of two years from the expiration of their present term of office; to provide how, when and for what term of office their successors shall be elected and to repeal only those laws, or parts of law, which are in conflict herewith.

Also:

H. 20. To extend the term of the office of coroner in all counties of this State having a population of not less than 230,000 inhabitants nor more than 400,000 inhabitants, according to the last or any subsequent decennial federal census, for a period of two years from the expiration of their present term of office; and to provide for the election and term of office of their successors.

RANKIN FITE
Chairman

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 13. Relative to adjournment of the two Houses until Tuesday, March 15, 1955.

J. E. SPEIGHT,
Secretary

CERTIFICATE OF CLERK

The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 12:10 P.M. On March 11, 1955.

H.J.R. 3
H.J.R. 7
H.J.R. 4

R. T. GOODWYN, JR.
Clerk

ADJOURNMENT

On motion of Mr. Hawkins the House adjourned until Tuesday, March 15, 1955, at twelve o'clock, noon.

FOURTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, March 15, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Alfred L. Bixler, Minister, Memorial Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Messrs:	Faulk	Killough	Payne
Adams	Ferrell	Kirkham	Perry
Albea	Franklin	Lackey	Pirkle
Ashworth	Gilchrist	Law	Pruitt
Bassett	Gist	Lee (Barbour)	Ramey
Boyd	Goodwyn	Lee (Lawrence)	Reynolds
Bradford	Gregory	Locke (Choctaw)	Richardson
Brannan	Grouby	Locke (Perry)	Roberts
Branyon	Hain	Love	Selman
Brassell	Hall	McClendon	Shumate
Broadfoot	Haltom	McKay	Simon
Brooks	Hanby	McLendon	Solomon
Brown (Lamar)	Hardy	McNider	Speaks
Burkhalter	Hare	Martin	Steagall
Callahan	Harrison	Mathews	Stembridge
Cornett	Harvey	Mathison	Stokes
Cox	Hawkins	Meeks	Summerlin
Davis	Hodges	Money	Taylor
Dawkins	Holliman	Murphy	Thomas
deGraffenried	Huddleston	Nettles	Tyson
Dement	Hunt	Nice	Vacca
DeSear	Johnson (Elmore)	Nolen	Ward
Dickson	Johnson (Tallapoosa)	Oakley	Windle
Edwards (Escambia)	Kaul	Oden	Wood
Edwards (Jefferson)	Kendall		

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the third legislative day and finds the same to be correct.

GEORGE C. HAWKINS,
Vice-Chairman.

On motion of Mr. Dawkins, the reading at length of the Journal of the House for the third legislative day was dispensed with and the report of the Standing Committee on Rules, was concurred in and adopted, and the Journal of the third legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 12. Relative to appointment of committee to visit Fort Morgan to investigate restoration.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Cooper, et al:

S. 1. To amend Act No. 323, H. 35, approved August 2, 1949, entitled "An Act to provide for a refund of a portion of the State tax paid on gasoline when the gasoline is used in propelling or operating tractors used exclusively for agricultural purposes; prescribing a procedure for effecting refunds; authorizing the Commissioner of Revenue to issue permits and make rules and regulations to administer the Act; defining violations of the Act and prescribing penalties therefor" (1949 Acts 469).

Also:

By Mr. Skidmore:

S. 3. To permit banks now or hereafter having a combined paid-in capital and paid-in or earned surplus of more than One Million Dollars and situated in Counties having a population according to the 1950 or any subsequent decennial census of the United States of not less than 94,000 inhabitants nor more than 135,000 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such County in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the State Superintendent of Banks:

Also:

By Messrs. Davis (Lowndes), et al:

S. 4. To repeal Act No. 694, S. 580, approved September 5, 1951, entitled "An Act Relating to public welfare; providing for monetary contributions to the support of certain needy persons by certain relatives thereof; prescribing the procedure for obtaining such contributions; making needy persons with certain relatives liable to contribute to their support ineligible to receive public assistance; imposing additional duties on county departments of public welfare, county solicitors and deputy circuit solicitors in connection with the administration of

the Act; and authorizing the Commissioner of Public Welfare to promulgate rules and regulations for carrying out the purposes of the Act" (Acts of 1950-51, Vol. II, p. 1195), which is known as "The Relatives Responsibility Act."

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 1. Ways and Means.
- S. 3. Local Legislation No. 1.
- S. 4. Ways and Means.

RESOLUTION

The following resolution was introduced:

By Mr. Dawkins:

H.J.R. 14. BE IT RESOLVED by the House of Representatives, the Senate Concurring, that when the two Houses adjourn today, they adjourn to meet again on Friday, March 18, 1955.

On motion of Mr. Dawkins the rules were suspended and H.J.R. 14 was adopted.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Lee (Barbour).

H. 60. To provide for the payment to the State Superintendent of Banks of certain unclaimed bank deposits, such funds to be deemed derelict property and be usable by the State, without liability for profit or interest, until a just claim therefor shall be preferred by the parties entitled thereto.

Ways and Means.

By Mr. Davis:

H. 61. To apply in all counties having a population of not less than 47,500 nor more than 52,500 inhabitants, according to the last or any subsequent federal decennial census; providing for the appointment of a deputy clerk of the circuit court of such counties; prescribing the duties, powers, and authority of such deputy, fixing his compensation and designating the method of payment and the fund from which such compensation shall be paid.

Local Legislation No. 1.

By Mr. Davis:

H. 62. To apply in all counties having a population of not less than 47,500 nor more than 52,500, according to the last or any subsequent federal decennial census; regulating further the office of county solicitor in such counties; imposing extra, new, and additional duties upon such officer, and providing further for his compensation.

Local Legislation No. 1.

By Messrs. Hawkins and Hanby:

H. 63. To amend further Section 144 of Title 45, Code of Alabama (1940), which relates to the sheriff's allowance for feeding prisoners.

Ways and Means.

By Messrs. Hanby and Hawkins:

H. 64. To amend Section 567 of Title 52, Code of Alabama (1940), which relates to the adverse possession of sixteenth section lands under color of title.

Judiciary.

By Messrs. Hawkins and Hanby:

H. 65. To create and establish a board of directors to manage and control the Alabama School of Trades created by, or provided for in Chapter 22 of Title 52, Code of Alabama (1940), as amended; abolishing the board of trustees created by an act approved August 12, 1947.

Ways and Means.

By Messrs. Hawkins and Hanby:

H. 66. To amend further Section 457 of Title 51, Code of Alabama, 1940, as amended, which relates to privilege license taxes on persons engaged in the business of selling or installing air-conditioning plants and equipment; and to provide that this Act shall be retroactive.

Ways and Means.

By Messrs. Hawkins and Hanby:

H. 67. To provide an additional judge for the Sixteenth Judicial Circuit of Alabama.

Ways and Means.

By Messrs. Murphy, Simon and Tyson:

H. 68. To apply in all counties having a population of not less than 225,000 nor more than 400,000, according to the last or any subsequent federal decennial census; authorizing non-residents who are arrested for certain misdemeanors relative to the operation of motor vehicles on the public roads and highways to secure their release by posing a cash sum with the sheriff of the county in lieu of an appearance bond.

Local Legislation No. 1

By Messrs. Murphy, Simon and Tyson:

H. 69. Relating to the compensation of judges of the circuit court of counties having a population of not less than 225,000 inhabitants nor more than 400,000 inhabitants, according to the last or any subsequent decennial federal census, who are commissioned supernumerary circuit judges of this State; providing for a county supplement to the salaries paid such judges by the State.

Local Legislation No. 1.

By Messrs. deGraffenried and Callahan:

H. 70. Relating to counties having a population of not less than 94,000 people, nor more than 134,000 people, according to the last Federal Decennial Census, or any subsequent Federal Decennial Census; requiring the Court of County Commissioners, Board of Revenue, or like governing bodies of said counties to cover, or cause to be covered certain employees of said counties, or any agency or instrumentality

thereof, including the employees of elected officials, under the Workmen's Compensation Act.

Local Legislation No. 1.

By Messrs. Hawkins and Dawkins:

H. 71. To amend Section 812 of Title 51 of the 1940 Code of Alabama, which Section relates to the definition of insurance companies, by said amendment including fraternal benefit societies and associations and reciprocal exchanges; to amend Section 1 and Section 2 of Act 156 of the Alabama Legislature of 1945, approved June 23, 1945; by said amendment changing the rate of premium tax to be paid annually by foreign and domestic insurance companies and providing certain credits and deductions based upon investment of the assets of the foreign insurance companies in Alabama; making said premium tax on foreign and domestic companies payable in the year One Thousand Nine Hundred and Fifty-Six upon the basis of premiums collected during the preceding year; to establish the Department of Insurance Fund for the operation and maintenance of the Department of Insurance; and to repeal Sections 818, 827, 828 and 829 of Title 51 of the 1940 Code, which Sections relate to taxes and fees paid by reciprocal exchanges and fire marshal tax on insurance companies.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 72. To raise revenue for old-age assistance or old-age pension purposes: imposing a surtax or surcharge of ten per cent upon the amount of certain other taxes imposed or levied by law; providing for the collection and enforcement of such surtax or surcharge, and for the expiration date of this Act.

Ways and Means.

By Messrs. Meeks, Harrison, Lee (Barbour), Nice, Perry, Thomas, Solomon, Mathison, McLendon, Grouby, Kendall, Brannan, Lee (Lawrence), Nolen, Edwards (Jefferson), Lackey, Kaul, Pirkle, Haltom, Broadfoot, Reynolds and Vacca:

H. 73. Relating to property owned by any person who is a recipient of public assistance under the welfare laws of this State; providing that ownership of a home or place of residence shall not render a person ineligible to receive public assistance; providing that the State shall have a lien or claim on all property, or interests in property, owned by recipients of public assistance, and providing for the enforcement thereof; providing for the distribution of the amounts of money recovered under the provisions of the Act; and prohibiting the granting of assistance to persons who have encumbered or disposed of property to prevent the State's acquiring a lien.

Public Welfare.

BILLS ON THIRD READING

H. 40. Relating to counties having a population of not less than 29,350 nor more than 30,350 inhabitants: to provide for a clerk in the office of the Clerk of the Circuit Court of such counties; fixing the salary, method and basis of such clerk's employment and compensation; such salary to be paid out of the general funds of such counties. To repeal all laws in conflict herewith, and to provide effective date of such act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Messrs:	Edwards ^(Jefferson)	Kirkham	Perry
Adams	Faulk	Lackey	Pirkle
Albea	Ferrell	Law	Pruitt
Ashworth	Franklin	Lee ^(Barbour)	Ramey
Bassett	Gist	Lee ^(Lawrence)	Reynolds
Boyd	Goodwyn	Locke ^(Choctaw)	Richardson
Bradford	Gregory	Locke ^(Perry)	Roberts
Brannan	Grouby	Love	Selman
Branyon	Hain	McClendon	Shumate
Brassell	Hall	McKay	Simon
Broadfoot	Haltom	McLendon	Solomon
Brooks	Hanby	McNider	Speaks
Brown ^(Lamar)	Hardy	Martin	Steagall
Burkhalter	Hare	Mathews	Stembridge
Callahan	Harrison	Mathison	Stokes
Cornett	Harvey	Meeks	Summerlin
Cox	Hawkins	Money	Taylor
Davis	Hodges	Murphy	Thomas
Dawkins	Huddleston	Nettles	Tyson
deGraffenried	Hunt	Nice	Vacca
Dement	Johnson ^(Elmore)	Nolen	Ward
DeSear	Johnson ^(Tallapoosa)	Oden	Windle
Dickson	Kendall	Payne	Wood
Edwards ^(Escambia)	Killough		

—93

And the bill:

H. 41. To permit any bank in Colbert County, Alabama, to establish one branch bank, branch agency, additional office, or branch place of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business, subject to the approval of the State Superintendent of Banks of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Messrs:	Davis	Haltom	Lee ^(Barbour)
Adams	Dawkins	Hanby	Lee ^(Lawrence)
Albea	deGraffenried	Hardy	Locke ^(Choctaw)
Ashworth	Dement	Hare	Locke ^(Perry)
Bassett	DeSear	Harrison	Love
Boyd	Dickson	Harvey	McClendon
Bradford	Edwards ^(Escambia)	Hawkins	McKay
Brannan	Edwards ^(Jefferson)	Hodges	McLendon
Branyon	Faulk	Huddleston	McNider
Brassell	Ferrell	Hunt	Martin
Broadfoot	Franklin	Johnson ^(Elmore)	Mathews
Brooks	Gist	Johnson ^(Tallapoosa)	Mathison
Brown ^(Lamar)	Goodwyn	Kendall	Meeks
Burkhalter	Gregory	Killough	Money
Callahan	Grouby	Kirkham	Murphy
Cornett	Hain	Lackey	Nettles
Cox	Hall	Law	Nice

Nolen	Reynolds	Speaks	Thomas
Oden	Richardson	Steagall	Tyson
Payne	Roberts	Stembridge	Vacca
Perry	Selman	Stokes	Ward
Pirkle	Shumate	Summerlin	Windle
Pruitt	Simon	Taylor	Wood
Ramey	Solomon		

—93

And the bill:

H. 42. To permit any bank having an office or place of business in any city in Colbert County, Alabama, to establish, maintain and operate, within the limits of such city or the police jurisdiction thereof, a branch or additional office or place of business, with the approval of the Superintendent of Banks of the State of Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Messrs:	Edwards (Jefferson)	Kirkham	Perry
Adams	Faulk	Lackey	Pirkle
Albea	Ferrell	Law	Pruitt
Ashworth	Franklin	Lee (Barbour)	Ramey
Bassett	Gist	Lee (Lawrence)	Reynolds
Boyd	Goodwyn	Locke (Choctaw)	Richardson
Bradford	Gregory	Locke (Perry)	Roberts
Brannan	Grouby	Love	Selman
Branyon	Hain	McClendon	Shumate
Brasseli	Hall	McKay	Simon
Broadfoot	Haltom	McLendon	Solomon
Brooks	Hanby	McNider	Speaks
Brown (Lamar)	Hardy	Martin	Steagall
Burkhalter	Hare	Mathews	Stembridge
Callahan	Harrison	Mathison	Stokes
Cornett	Harvey	Meeks	Summerlin
Cox	Hawkins	Money	Taylor
Davis	Hodges	Murphy	Thomas
Dawkins	Huddleston	Nettles	Tyson
deGraffenried	Hunt	Nice	Vacca
Dement	Johnson (Elmore)	Nolen	Ward
DeSear	Johnson (Tallapoosa)	Oden	Windle
Dickson	Kendall	Payne	Wood
Edwards (Escambia)	Killough		

—93

And the bill:

H. 18. To provide for appointment of official court reporters of the circuit courts in those circuits which are now, or which may hereafter, be composed of only one county and having not less than four nor more than nine circuit judges; to provide for their qualifications, to fix their compensation, to define their duties and provide for the appointment of special reporters in such cases; and to repeal all laws which may be in conflict herewith.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Messrs:	Edwards ^(Escambia)	Killough	Payne
Adams	Faulk	Kirkham	Pirkle
Albea	Ferrell	Lackey	Pruitt
Ashworth	Franklin	Law	Reynolds
Bassett	Gist	Lee ^(Barbour)	Richardson
Boyd	Goodwyn	Lee ^(Lawrence)	Roberts
Bradford	Gregory	Locke ^(Choctaw)	Selman
Brannan	Grouby	Locke ^(Perry)	Shumate
Branyon	Hain	Love	Simon
Brassell	Hall	McClendon	Solomon
Broadfoot	Haltom	McKay	Speaks
Brooks	Hanby	McLendon	Steagall
Brown ^(Lamar)	Hardy	McNider	Stembridge
Burkhalter	Hare	Martin	Stokes
Callahan	Harrison	Mathews	Summerlin
Cornett	Harvey	Mathison	Taylor
Cox	Hawkins	Money	Thomas
Davis	Hodges	Murphy	Tyson
Dawkins	Huddleston	Nettles	Vacca
deGraffenried	Hunt	Nice	Ward
Dement	Johnson ^(Elmore)	Nolen	Windle
DeSear	Johnson ^(Tallapoosa)	Oden	Wood
Dickson	Kendall		

—89

**And the bill:
(With amendment):**

H. 3. Relating to the Nineteenth Judicial Circuit; authorizing the circuit solicitor to appoint a stenographic secretary, and providing for the payment of such secretary's compensation by the counties composing the circuit.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend Section 1 of House Bill 3 by striking out the words "fixed by the solicitor at not less than one thousand eight hundred dollars (\$1,800), nor more than two thousand four hundred dollars (\$2,400) per annum" and inserting the following "one thousand eight hundred dollars (\$1,800) per annum".

And the amendment was adopted.

Yeas 90; Nays 0.

Yeas:

Messrs:	Brassell	Dawkins	Gist
Adams	Broadfoot	deGraffenried	Goodwyn
Albea	Brooks	Dement	Gregory
Ashworth	Brown ^(Lamar)	DeSear	Grouby
Bassett	Burkhalter	Dickson	Hain
Boyd	Callahan	Edwards ^(Escambia)	Hall
Bradford	Cornett	Faulk	Haltom
Brannan	Cox	Ferrell	Hanby
Branyon	Davis	Franklin	Hardy

Hare	Lee (Barbour)	Nettles	Simon
Harrison	Lee (Lawrence)	Nice	Solomon
Harvey	Locke (Choctaw)	Nolen	Speaks
Hawkins	Locke (Perry)	Oden	Steagall
Hodges	Love	Payne	Stembridge
Huddleston	McKay	Perry	Stokes
Hunt	McLendon	Pirkle	Summerlin
Johnson (Elmore)	McNider	Pruitt	Taylor
Johnson (Tallapoosa)	Martin	Ramey	Thomas
Kaul	Mathews	Reynolds	Tyson
Kendall	Mathison	Richardson	Vacca
Killough	Meeks	Roberts	Windle
Kirkham	Money	Selman	Wood
Law	Murphy	Shumate	

—90

And said bill, H. 3, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Messrs:	Edwards (Escambia)	Killough	Perry
Adams	Faulk	Kirkham	Pirkle
Albea	Ferrell	Law	Pruitt
Ashworth	Franklin	Lee (Barbour)	Ramey
Bassett	Gist	Lee (Lawrence)	Reynolds
Boyd	Goodwyn	Locke (Choctaw)	Roberts
Bradford	Gregory	Locke (Perry)	Selman
Brannan	Grouby	Love	Shumate
Branyon	Hain	McClendon	Simon
Brassell	Hall	McKay	Solomon
Broadfoot	Haltom	McLendon	Speaks
Brooks	Hanby	McNider	Steagall
Brown (Lamar)	Hardy	Martin	Stembridge
Burkhalter	Hare	Mathews	Stokes
Callahan	Harrison	Mathison	Summerlin
Cornett	Harvey	Meeks	Taylor
Cox	Hawkins	Money	Thomas
Davis	Hodges	Murphy	Tyson
Dawkins	Huddleston	Nettles	Vacca
deGraffenried	Hunt	Nice	Ward
Dement	Johnson (Elmore)	Nolen	Windle
DeSear	Johnson (Tallapoosa)	Oden	Wood
Dickson	Kaul	Payne	

—90

And the bill:

H. 33. To amend Section 131 of Title 23, Code of Alabama, 1940, which relates to the dumping, throwing or leaving debris, trash and rubbish on highways.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Messrs:	Adams	Albea	Ashworth
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Bassett	Gist	Lackey	Pirkle
Boyd	Goodwyn	Law	Pruitt
Bradford	Gregory	Lee (Barbour)	Ramey
Brannan	Grouby	Lee (Lawrence)	Reynolds
Branyon	Hain	Locke (Choctaw)	Richardson
Brassell	Hall	Locke (Perry)	Roberts
Broadfoot	Haltom	Love	Selman
Brown (Lamar)	Hanby	McKay	Shumate
Burkhalter	Hardy	McLendon	Simon
Callahan	Hare	McNider	Solomon
Cornett	Harrison	Martin	Speaks
Cox	Harvey	Mathews	Steagall
Davis	Hawkins	Mathison	Stembridge
deGraffenried	Hodges	Meeks	Stokes
Dement	Huddleston	Murphy	Summerlin
DeSear	Hunt	Money	Taylor
Dickson	Johnson (Elmore)	Nettles	Thomas
Edwards (Escambia)	Johnson (Tallapoosa)	Nice	Tyson
Edwards (Jefferson)	Kaul	Nolen	Vacca
Faulk	Kendall	Oden	Ward
Ferrell	Killough	Payne	Windle
Franklin	Kirkham	Perry	Wood

—91

And the bill:
(With amendment):

H. 34. To amend Section 211 of Title 29, Code of Alabama (1940), which relates to the officers who may issue search warrants under the law regulating the possession, sale, and distribution of intoxicating liquors and alcoholic beverages.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend House Bill 34 by striking therefrom the words "and clerks" after the word "judges" and by adding at the end thereof the following:

Provided however, that in all counties of this state having a population of not less than 31,600 nor more than 32,000 according to the last or any subsequent federal decennial census, the clerk of any inferior court shall also have the right and authority to issue such warrants.

And the amendment was adopted.

Yeas 92; Nays 2.

Yeas:

Messrs:	Burkhalter	Franklin	Hodges
Adams	Callahan	Gist	Huddleston
Albea	Cornett	Goodwyn	Hunt
Ashworth	Cox	Gregory	Johnson (Elmore)
Bassett	Davis	Grouby	Johnson (Tallapoosa)
Boyd	deGraffenried	Hall	Kaul
Bradford	Dement	Haltom	Kendall
Brannan	DeSear	Hanby	Killough
Branyon	Dickson	Hardy	Kirkham
Brassell	Edwards (Escambia)	Hare	Lackey
Broadfoot	Edwards (Jefferson)	Harrison	Law
Brooks	Faulk	Harvey	Lee (Barbour)
Brown (Lamar)	Ferrell	Hawkins	Lee (Lawrence)

Locke (Choctaw)	Money	Pruitt	Steagall
Locke (Perry)	Murphy	Ramey	Stembridge
Love	Nettles	Reynolds	Stokes
McClendon	Nice	Richardson	Taylor
McKay	Nolen	Roberts	Thomas
McLendon	Oakley	Selman	Tyson
McNider	Oden	Shumate	Vacca
Martin	Payne	Simon	Ward
Mathews	Perry	Solomon	Windle
Mathison	Pirkle	Speaks	Wood
Meeks			

—92

Nays:

Messrs: Dawkins Summerlin

—2

And said bill, H. 34, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 5.

Yeas:

Messrs:	Edwards (Escambia)	Kaul	Payne
Adams	Edwards (Jefferson)	Kendall	Perry
Albea	Faulk	Killough	Pirkle
Ashworth	Ferrell	Kirkham	Pruitt
Bassett	Franklin	Law	Ramey
Boyd	Gist	Lee (Barbour)	Reynolds
Bradford	Gregory	Lee (Lawrence)	Richardson
Brannan	Grouby	Locke (Choctaw)	Roberts
Branyon	Hain	Locke (Perry)	Selman
Brassell	Haltom	McClendon	Shumate
Broadfoot	Hanby	McKay	Simon
Brooks	Hardy	McLendon	Solomon
Brown (Lamar)	Hare	McNider	Speaks
Burkhalter	Harrison	Martin	Steagall
Callahan	Harvey	Mathison	Stembridge
Cornett	Hawkins	Money	Stokes
Cox	Hodges	Murphy	Thomas
Davis	Huddleston	Nettles	Vacca
deGraffenried	Hunt	Nolen	Ward
Dement	Johnson (Elmore)	Oakley	Windle
DeSear	Johnson (Tallapoosa)	Oden	Wood
Dickson			

—84

Nays:

Messrs: Goodwyn Love Summerlin
Dawkins Hall

—5

And the bill:

H. 22. To amend Section 255 of Title 13, Code of Alabama (1940), which relates to assistance for the circuit solicitor of the fifteenth judicial circuit.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Messrs:	Edwards ^(Jefferson)	Kirkham	Perry
Adams	Faulk	Lackey	Pirkle
Albea	Ferrell	Law	Pruitt
Ashworth	Franklin	Lee (Barbour)	Ramey
Bassett	Gist	Lee (Lawrence)	Reynolds
Boyd	Goodwyn	Locke (Choctaw)	Richardson
Bradford	Gregory	Locke (Perry)	Roberts
Brannan	Grouby	Love	Selman
Branyon	Hain	McClerdon	Shumate
Brassell	Hall	McKay	Simon
Broadfoot	Haltom	McLendon	Solomon
Brooks	Hanby	McNider	Speaks
Brown (Lamar)	Hardy	Martin	Steagall
Burkhalter	Hare	Mathews	Stembridge
Callahan	Harrison	Mathison	Stokes
Cornett	Harvey	Meeks	Summerlin
Cox	Hawkins	Money	Taylor
Davis	Hodges	Murphy	Thomas
Dawkins	Huddleston	Nettles	Tyson
deGraffenried	Hunt	Nice	Vacca
Dement	Johnson (Elmore)	Nolen	Ward
DeSear	Johnson (Tallapoosa)	Oakley	Windle
Dickson	Kendall	Oden	Wood
Edwards (Escambia)	Killough	Payne	

—94

And the bill:

H. 37. To amend further Section 2, Act No. 669, H. 792, approved July 5, 1940, which Act is known as the "Alabama Motor Carrier Act of 1939", (Acts, 1939, pp. 1064-1090).

Was taken up.

Messrs. Richardson, Ramey, Callahan and deGraffenried offered the following amendment to the bill, H. 37:

Amend Section F of H.B. No. 37 by inserting in lieu of the word "and" in said section a comma and by inserting in lieu of the period at the end of said section a comma and by adding thereafter the words "and United States Mail".

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Messrs:	Brassell	Dement	Goodwyn
Adams	Brooks	DeSear	Gregory
Albea	Brown (Lamar)	Dickson	Grouby
Ashworth	Burkhalter	Edwards (Escambia)	Hain
Bassett	Cornett	Edwards (Jefferson)	Hall
Boyd	Cox	Faulk	Haltom
Bradford	Davis	Ferrell	Hanby
Brannan	Dawkins	Franklin	Hardy
Branyon	deGraffenried	Gist	Hare

Harrison	Lee (Barbour)	Money	Shumate
Harvey	Lee (Lawrence)	Murphy	Simon
Hawkins	Locke (Choctaw)	Nettles	Speaks
Hodges	Locke (Perry)	Nolen	Steagall
Huddleston	Love	Oakley	Stembridge
Hunt	McClendon	Oden	Stokes
Johnson (Elmore)	McKay	Payne	Summerlin
Johnson (Tallapoosa)	McLendon	Pirkle	Taylor
Kendall	McNider	Pruitt	Thomas
Killough	Martin	Ramey	Tyson
Kirkham	Mathews	Reynolds	Vacca
Lackey	Mathison	Richardson	Ward
Law	Mecks	Selman	Windle

—87

And said bill, H. 37, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Messrs:	Edwards (Escambia)	Johnson (Tallapoosa)	Oakley
Adams	Edwards (Jefferson)	Kendall	Payne
Albea	Faulk	Killough	Pirkle
Ashworth	Ferrell	Kirkham	Pruitt
Bassett	Franklin	Lackey	Ramey
Boyd	Gist	Law	Reynolds
Bradford	Goodwyn	Lee (Barbour)	Richardson
Brannan	Grouby	Lee (Lawrence)	Selman
Branyon	Hain	Locke (Choctaw)	Shumate
Brassell	Hall	Locke (Perry)	Simon
Brooks	Haltom	Love	Speaks
Brown (Lamar)	Hanby	McClendon	Steagall
Burkhalter	Hardy	McKay	Stembridge
Callahan	Hare	McLendon	Stokes
Cornett	Harrison	McNider	Summerlin
Davis	Harvey	Martin	Taylor
Dawkins	Hawkins	Mathews	Thomas
deGraffenried	Hodges	Mathison	Tyson
Dement	Huddleston	Murphy	Vacca
DeSear	Hunt	Nettles	Ward
Dickson	Johnson (Elmore)	Nolen	Windle

—83

RESOLUTION

The following resolution was introduced:

By Mr. Thomas:

H.R. 15. RESOLVED by the House of Representatives that when the House meets on Tuesday, March 22, it will resolve itself into a committee of the whole to study the fiscal conditions of the State and the financial conditions of the various state agencies, departments, offices, and programs, with a view to determining the ways and means of financing such state agencies, departments, offices, and programs during the next two fiscal years.

The motion of Mr. Thomas to suspend the rules in order to bring up for immediate consideration the above and foregoing resolution H.R. 15 was lost.

Yeas 60; Nays 31.

Yeas:

Messrs:	Haltom	Locke (Choctaw)	Perry
Adams	Hanby	Locke (Perry)	Pirkle
Albea	Hardy	McClendon	Pruitt
Boyd	Harrison	McKay	Ramey
Bradford	Harvey	McLendon	Reynolds
Brannan	Hodges	McNider	Richardson
Cornett	Huddleston	Martin	Roberts
deGraffenried	Hunt	Mathison	Simon
DeSear	Johnson (Elmore)	Meeks	Solomon
Dickson	Kaul	Murphy	Stokes
Edwards (Jefferson)	Kendall	Nettles	Summerlin
Faulk	Killough	Nice	Thomas
Franklin	Kirkham	Nolen	Tyson
Goodwyn	Lackey	Oakley	Vacca
Grouby	Lee (Barbour)	Payne	Windle
Hain			

—60

Nays:

Messrs:	Cox	Hall	Selman
Ashworth	Davis	Hare	Shumate
Branyon	Dawkins	Hawkins	Speaks
Brassell	Dement	Johnson (Tallapoosa)	Steagall
Broadfoot	Edwards (Escambia)	Lee (Lawrence)	Stembridge
Brown (Lamar)	Ferrell	Love	Taylor
Burkhalter	Gist	Mathews	Ward
Callahan	Gregory	Oden	Wood

—31

And said resolution H.R. 15 was referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

H. 48. To make an additional appropriation to the office of the Attorney General out of any funds in the State Treasury not otherwise appropriated for the fiscal year ending September 30, 1955.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Messrs:	Brown (Lamar)	Faulk	Hare
Adams	Burkhalter	Ferrell	Harrison
Albea	Callahan	Franklin	Harvey
Ashworth	Cornett	Gist	Hawkins
Bassett	Cox	Goodwyn	Hodges
Boyd	Davis	Gregory	Huddleston
Bradford	Dawkins	Grouby	Hunt
Brannan	deGraffenried	Hain	Johnson (Elmore)
Branyon	Dement	Hall	Johnson (Tallapoosa)
Brassell	Dickson	Haltom	Kaul
Broadfoot	Edwards (Escambia)	Hanby	Kendall
Brooks	Edwards (Jefferson)	Hardy	Killough

Kirkham	McNider	Perry	Speaks
Lackey	Martin	Pirkle	Steagall
Law	Mathews	Pruitt	Stembridge
Lee (Barbour)	Mathison	Ramey	Stokes
Lee (Lawrence)	Money	Reynolds	Summerlin
Locke (Choctaw)	Murphy	Richardson	Taylor
Locke (Perry)	Nettles	Roberts	Thomas
Love	Nolen	Selman	Tyson
McClendon	Oakley	Shumate	Vacca
McKay	Oden	Simon	Ward
McLendon	Payne	Solomon	Wood

—91

And the bill:

H. 49. To make an additional appropriation out of any funds in the State Treasury not otherwise appropriated to the Executive Department for the fiscal year ending September 30, 1955.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Messrs:	Edwards ^(Escambia)	Kendall	Payne
Adams	Faulk	Kirkham	Pirkle
Albea	Ferrell	Lackey	Pruitt
Ashworth	Franklin	Law	Ramey
Bassett	Gist	Lee (Barbour)	Reynolds
Boyd	Goodwyn	Lee (Lawrence)	Richardson
Bradford	Gregory	Locke (Choctaw)	Roberts
Brannan	Grouby	Love	Shumate
Branyon	Hain	McClendon	Simon
Brassell	Hall	McKay	Solomon
Broadfoot	Haltom	McLendon	Speaks
Brooks	Hanby	McNider	Steagall
Brown (Lamar)	Hare	Martin	Stembridge
Burkhalter	Harrison	Mathews	Stokes
Callahan	Harvey	Mathison	Summerlin
Cornett	Hawkins	Money	Taylor
Cox	Hodges	Murphy	Tyson
Davis	Huddleston	Nettles	Vacca
Dawkins	Hunt	Nice	Ward
deGraffenried	Johnson ^(Elmore)	Nolen	Windle
Dement	Johnson ^(Tallapoosa)	Oden	Wood

—83

And the bill:

H. 51. To make an additional appropriation to the Department of Public Safety for the fiscal year ending September 30, 1955.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Messrs:	Bassett	Branyon	Brown (Lamar)
Adams	Boyd	Brassell	Burkhalter
Albea	Bradford	Broadfoot	Callahan
Ashworth	Brannan	Brooks	Cornett

Cox	Hanby	Love	Richardson
Davis	Hardy	McClendon	Roberts
Dawkins	Hare	McKay	Selman
deGraffenried	Harrison	McLendon	Shumate
Dement	Harvey	McNider	Simon
DeSear	Hawkins	Martin	Solomon
Dickson	Hodges	Mathews	Speaks
Edwards ^(Escambia)	Huddleston	Mathison	Steagall
Edwards ^(Jefferson)	Hunt	Money	Stembridge
Faulk	Johnson ^(Elmore)	Murphy	Stokes
Ferrell	Johnson ^(Tallapoosa)	Nettles	Summerlin
Franklin	Kendall	Nolen	Taylor
Gist	Killough	Oden	Thomas
Goodwyn	Kirkham	Payne	Tyson
Gregory	Lackey	Perry	Vacca
Grouby	Law	Pirkle	Ward
Hain	Lee ^(Barbour)	Pruitt	Windle
Hall	Lee ^(Lawrence)	Ramey	Wood
Haltom	Locke ^(Choctaw)	Reynolds	

—90

And the bill:

H. 52. To make an additional appropriation to the Secretary of State for the fiscal year ending September 30, 1955.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Messrs:	Faulk	Kirkham	Perry
Adams	Ferrell	Lackey	Pirkle
Albea	Franklin	Law	Pruitt
Ashworth	Gist	Lee ^(Barbour)	Ramey
Bassett	Goodwyn	Lee ^(Lawrence)	Reynolds
Boyd	Gregory	Locke ^(Choctaw)	Richardson
Bradford	Grouby	Love	Roberts
Brannan	Hain	McClendon	Selman
Branyon	Hall	McKay	Shumate
Brassell	Haltom	McLendon	Simon
Broadfoot	Hanby	McNider	Solomon
Brooks	Hardy	Martin	Speaks
Brown ^(Lamar)	Hare	Mathews	Steagall
Burkhalter	Harrison	Mathison	Stembridge
Callahan	Harvey	Meeks	Stokes
Cornett	Hawkins	Money	Summerlin
Cox	Hodges	Murphy	Taylor
Davis	Huddleston	Nettles	Thomas
Dawkins	Hunt	Nice	Tyson
deGraffenried	Johnson ^(Elmore)	Nolen	Vacca
Dement	Johnson ^(Tallapoosa)	Oakley	Ward
Dickson	Kaul	Oden	Windle
Edwards ^(Escambia)	Kendall	Payne	Wood
Edwards ^(Jefferson)	Killough		

—93

And the bill:

H. 53. To make an additional appropriation to Social Security for

the fiscal year ending September 30, 1955.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Messrs:	Faulk	Kirkham	Perry
Adams	Ferrell	Lackey	Pirkle
Albea	Franklin	Law	Pruitt
Ashworth	Gist	Lee (Barbour)	Ramey
Bassett	Goodwyn	Lee (Lawrence)	Reynolds
Boyd	Gregory	Locke (Choctaw)	Richardson
Bradford	Grouby	Locke (Perry)	Roberts
Brannan	Hain	Love	Selman
Branyon	Hall	McClendon	Shumate
Brassell	Haltom	McKay	Simon
Broadfoot	Hanby	McLendon	Solomon
Brooks	Hardy	McNider	Speaks
Brown (Lamar)	Hare	Martin	Steagall
Burkhalter	Harrison	Mathews	Stembridge
Callahan	Harvey	Mathison	Stokes
Cornett	Hawkins	Meeks	Summerlin
Cox	Hodges	Money	Taylor
Davis	Huddleston	Murphy	Thomas
Dawkins	Hunt	Nettles	Tyson
deGraffenried	Johnson (Elmore)	Nice	Vacca
Dement	Johnson (Tallapoosa)	Nolen	Ward
Dickson	Kaul	Oakley	Windle
Edwards (Escambia)	Kendall	Oden	Wood
Edwards (Jefferson)	Killough	Payne	

—94

And the bill:
(With amendment):

H. 50. To make an additional appropriation to the Department of Civil Defense out of any funds in the State Treasury not otherwise appropriated for the fiscal year ending September 30, 1955.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

COMMITTEE AMENDMENT TO HOUSE BILL NO. 50

Amend House Bill No. 50 by striking therefrom words and figures \$4,300.00 where they appear in said bill and substitute therefor \$2,800.00. Amend further House Bill No. 50 by striking words and figures \$10,000.00 and substitute therefor \$8,500.00.

And the amendment was adopted.

Yeas 88; Nays 0.

Yeas:

Messrs:	Boyd	Broadfoot	Cornett
Adams	Bradford	Brooks	Cox
Albea	Brannan	Brown (Lamar)	Davis
Ashworth	Branyon	Burkhalter	Dawkins
Bassett	Brassell	Callahan	deGraffenried

Dement	Harvey	McClendon	Richardson
DeSear	Hawkins	McKay	Roberts
Dickson	Hodges	McLendon	Selman
Edwards (Escambia)	Huddleston	McNider	Shumate
Edwards (Jefferson)	Hunt	Martin	Simon
Ferrell	Johnson (Elmore)	Mathews	Solomon
Franklin	Johnson (Tallapoosa)	Mathison	Speaks
Gist	Kendall	Money	Steagall
Goodwyn	Killough	Nettles	Stembridge
Gregory	Kirkham	Nolen	Stokes
Grouby	Lackey	Oakley	Summerlin
Hain	Law	Oden	Taylor
Hall	Lee (Barbour)	Payne	Thomas
Haltom	Lee (Lawrence)	Pirkle	Vacca
Hanby	Locke (Choctaw)	Pruitt	Ward
Hardy	Locke (Perry)	Ramey	Windle
Hare	Love	Reynolds	Wood
Harrison			

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And said bill, H. 50, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Messrs:	Edwards (Jefferson)	Kirkham	Pirkle
Adams	Franklin	Lackey	Pruitt
Albea	Gist	Law	Ramey
Ashworth	Goodwyn	Lee (Barbour)	Reynolds
Bassett	Gregory	Lee (Lawrence)	Richardson
Boyd	Grouby	Locke (Choctaw)	Roberts
Bradford	Hain	Locke (Perry)	Selman
Brannan	Hall	Love	Shumate
Branyon	Haltom	McClendon	Simon
Brassell	Hanby	McKay	Solomon
Broadfoot	Hardy	McLendon	Speaks
Brooks	Hare	McNider	Steagall
Brown (Lamar)	Harrison	Martin	Stembridge
Burkhalter	Harvey	Mathews	Stokes
Callahan	Hawkins	Mathison	Summerlin
Cornett	Hodges	Money	Taylor
Cox	Huddleston	Nettles	Thomas
Davis	Hunt	Nolen	Vacca
Dawkins	Johnson (Elmore)	Oakley	Ward
deGraffenried	Johnson (Tallapoosa)	Oden	Windle
DeSear	Kendall	Payne	Wood
Edwards (Escambia)	Killough		

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And the bill:

H. 6. To amend Act No. 323, H. 35, approved August 2, 1949, which provides for a refund of a portion of the state tax paid on gasoline used to propel tractors (1949 Acts 469).

Was taken up.

Messrs. Murphy, Simon and Tyson offered the following substitute for the bill, H. 6:

Substitute for H. 6:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 323, H. 35, approved August 2, 1949, which provides for a refund of a portion of the state tax paid on gasoline used to propel tractors (1949 Acts 469).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The title to Act No. 323, H. 35, approved August 2, 1949, which Act provides for a refund of a portion of the state tax paid on gasoline used to propel tractors, is amended to read as follows:

"An Act to provide for a refund of a portion of the state tax paid on gasoline when the gasoline is used for certain non-highway purposes; prescribing a procedure for effecting refunds; authorizing the Commissioner of Revenue to issue permits and make rules and regulations to administer the Act; defining violations of the Act and prescribing penalties therefor."

Section 2. Section 3 of said Act No. 323, H. 35, approved August 2, 1949, is amended to read as follows:

"Subject to the conditions set forth in this Act, a person who purchases gasoline (as defined in Section 646 of Title 51 of the 1940 Code, as amended) in quantities of fifty gallons or more at any one time, for use in operating or propelling tractors used exclusively for agricultural purposes, or for use in operating or propelling boats, is entitled to a refund of six cents of the state excise tax paid on each gallon of gasoline so purchased and used. A right to receive a tax refund is not assignable."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Johnson of Tallapoosa the substitute offered by Messrs. Murphy, Simon and Tyson was laid upon the table.

Yeas 53; Nays 22.

Yeas:

Messrs:	Dement	Harvey	Money
Adams	DeSear	Hunt	Nettles
Albea	Dickson	Johnson (Elmore)	Oakley
Ashworth	Edwards (Escambia)	Johnson (Tallapoosa)	Oden
Bassett	Faulk	Kendall	Payne
Boyd	Ferrell	Kirkham	Pirkle
Branyon	Franklin	Law	Ramey
Brassell	Gist	Locke (Choctaw)	Richardson
Brooks	Goodwyn	McClendon	Shumate
Brown (Lamar)	Gregory	McKay	Solomon
Burkhalter	Hain	Martin	Speaks
Cornett	Hall	Mathews	Taylor
Cox	Hare	Mathison	Windle
Dawkins	Harrison		

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Nays:

Messrs:	Bradford	Brannan	Callahan
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Davis	Hawkins	McNider	Simon
deGraffenried	Hodges	Murphy	Steagall
Grouby	Killough	Nice	Thomas
Haltom	Lee (Barbour)	Nolen	Tyson
Hanby	Love	Perry	

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And said bill, H. 6, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Messrs:	Edwards (Jefferson)	Kendall	Oakley
Adams	Faulk	Killough	Oden
Albea	Ferrell	Kirkham	Payne
Ashworth	Franklin	Lackey	Perry
Bassett	Gist	Law	Pruitt
Boyd	Goodwyn	Lee (Barbour)	Ramey
Bradford	Gregory	Lee (Lawrence)	Reynolds
Brannan	Grouby	Locke (Choctaw)	Richardson
Branyon	Hain	Locke (Perry)	Roberts
Brassell	Hall	Love	Selman
Broadfoot	Haltom	McClendon	Shumate
Brooks	Hardy	McKay	Solomon
Brown (Lamar)	Hare	McLendon	Speaks
Burkhalter	Harrison	McNider	Steagall
Callahan	Harvey	Martin	Stembridge
Cornett	Hawkins	Mathews	Stokes
Cox	Hodges	Mathison	Summerlin
Dawkins	Huddleston	Meeks	Taylor
deGraffenried	Hunt	Money	Thomas
Dement	Johnson (Elmore)	Nettles	Vacca
DeSear	Johnson (Tallapoosa)	Nice	Windle
Dickson	Kaul	Nolen	Wood
Edwards (Escambia)			

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And the bill:

H. 38. To amend Section 10 of Title 37, Code of Alabama (1940).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Messrs:	Burkhalter	Franklin	Hodges
Adams	Callahan	Gist	Huddleston
Albea	Cornett	Goodwyn	Hunt
Ashworth	Cox	Gregory	Johnson (Elmore)
Bassett	Davis	Grouby	Johnson (Tallapoosa)
Boyd	Dawkins	Hain	Kaul
Bradford	deGraffenried	Haltom	Kendall
Brannan	Dement	Hanby	Killough
Branyon	DeSear	Hardy	Kirkham
Brassell	Edwards (Escambia)	Hare	Lackey
Broadfoot	Edwards (Jefferson)	Harrison	Law
Brooks	Faulk	Harvey	Lee (Barbour)
Brown (Lamar)	Ferrell	Hawkins	Lee (Lawrence)

Locke (Choctaw)	Money	Pruitt	Steagall
Locke (Perry)	Murphy	Ramey	Stembridge
Love	Nettles	Reynolds	Stokes
McClendon	Nice	Richardson	Summerlin
McKay	Nolen	Roberts	Taylor
McLendon	Oakley	Selman	Thomas
McNider	Oden	Shumate	Tyson
Martin	Payne	Simon	Vacca
Mathews	Perry	Solomon	Windle
Mathison	Pirkle	Speaks	Wood

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H.J.R. 12. Relative to appointing a committee to visit Fort Morgan to ascertain the extent to which Fort Morgan has been restored.
And finds same correctly enrolled.

GEORGE C. HAWKINS,
Vice Chairman

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker Pro Tem of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 14. Relative to adjournment of the two Houses until Friday, March 18, 1955.

J. E. SPEIGHT,
Secretary

RESOLUTION

The following resolution was introduced:

By Mr. Dawkins:

H.J.R. 16. A JOINT RESOLUTION giving legislative approval to the admission of the States of Delaware and West Virginia into the Southern Regional Education Compact entered into by the State of Alabama and other Southern States; to declare that, upon ratification of the Compact by the Legislature and approval by the Governor of Delaware and/or West Virginia, and approval by the Legislature and by the governor of the other States party to the Compact, the States of Delaware and/or West Virginia become party to said Compact.

WHEREAS, by action of the Legislature and approval of the Governor, the State of Alabama became party to the Southern Regional Education Compact with the States of Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia on July 12, 1949.

WHEREAS, the States of Delaware and West Virginia have indicated their interest in becoming party to the said Compact,

BE IT RESOLVED by the Legislature of Alabama, both houses thereof concurring,

That the admission of the States of Delaware and West Virginia be approved and that the States of Delaware and/or West Virginia become party to the Compact upon approval of their respective Legislatures and their respective governors and upon approval of their admission by the other States Party to the Compact; and that upon approval of this Resolution the Governor sign an enrolled copy for submission to the Southern Regional Education Board.

On motion of Mr. Dawkins the rules were suspended and H.J.R. 16 was adopted.

CERTIFICATE OF CLERK

The House of Representatives:

I hereby certify that the House Joint Resolution hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:15 P.M. On March 15, 1955.

H.J.R. 12.

R. T. GOODWYN, JR.,
Clerk

ADJOURNMENT

On motion of Mr. Dawkins the House adjourned until Friday, March 18, 1955, at ten o'clock A.M.

FIFTH DAY

House of Representatives
Montgomery, Alabama
Friday, March 18, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Thomas G. Jones, retired Methodist minister, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dickson	Johnson (Tallapoosa)	Oakley
Adams	Edwards (Escambia)	Kaul	Oden
Albea	Edwards (Jefferson)	Kelly	Payne
Ashworth	Faulk	Kendall	Perry
Bagley	Ferrell	Killough	Pirkle
Bassett	Franklin	Kirkham	Pruitt
Boyd	Gilchrist	Lackey	Ramey
Bradford	Gist	Law	Richardson
Brannan	Goodwyn	Lee (Barbour)	Roberts
Branyon	Gregory	Lee (Lawrence)	Selman
Brassell	Grouby	Locke (Choctaw)	Shumate
Brewer	Hain	Locke (Perry)	Simon
Broadfoot	Hall	Love	Solomon
Brooks	Haltom	McKay	Speaks
Brown (Lamar)	Hanby	McLendon	Steagall
Brown (Lee)	Hardy	McNider	Stembridge
Burkhalter	Hare	Martin	Stokes
Callahan	Harrison	Mathews	Summerlin
Cornett	Harvey	Mathison	Taylor
Cox	Hawkins	Meeks	Thomas
Crook	Hodges	Molette	Tyson
Davis	Holliman	Money	Vacca
Dawkins	Huddleston	Murphy	Ward
deGraffenried	Hunt	Nettles	Windle
Dement	Jenkins	Nice	Wood
DeSear	Johnson (Elmore)	Nolen	

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourth legislative day and finds the same to be correct.

RANKIN FITE
Chairman

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the fourth legislative day was dispensed with and the report of the Standing Committee on Rules, was concurred in and adopted, and the Journal of the fourth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:

By Messrs. Goodwin, Davis (Pickens), Moses, Tate, Calvin, Metcalf, Cooper, Shelton, Engelhardt, Robison, Coleman, Eddins, Givhan, Yarbrough (Autauga), Cantrell, Skidmore, Little, Bradford, Leonard, Grisham, Jones, Newton, Vann, Flowers, Allen, Van Antwerp, Reeves, Dyar, James, Yarbrough (Randolph), Boutwell, Davis (Lowndes), Lamberth, Roberts and Smith:

S.J.R. 3. WHEREAS an announcement has been made that the Honorable Herman Talmadge of Georgia will visit Montgomery on Monday, March 21, to address a luncheon meeting of lumbermen and forest products manufacturers; and

WHEREAS the Legislature of Alabama would be greatly honored to have the distinguished former Governor of the State of Georgia to address a joint session of the two Houses; now therefore,

BE IT RESOLVED by the Senate, the House of Representatives concurring, that Governor Talmadge be invited to visit the Legislature on Tuesday, March 22, and speak to this body on any subject of public interest which may be agreeable to him.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Kendall the rules were suspended and the House concurred in and adopted the S.J.R. 3 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 8. Relative to appointing Legislative Committee to make a study of Act No. 777, 1953 Acts, relative to support and maintenance of mentally ill persons committed to state mental institutions.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:

By Mr. Givhan:

S.J.R. 4. WHEREAS, the proposed development of the Coosa-Alabama Rivers from Rome, Georgia, to Mobile, Alabama, heretofore approved by the United States Corps of Engineers, which would provide for a 9 foot channel from Mobile to Rome along these rivers for purposes of navigation, and which would provide for flood control by a series of locks and dams, and which would greatly increase hydro-electric power and would result in conservation of soil, prevention of floods, cheaper transportation of raw materials and finished products, by import and export, and would provide for desirable locations for various new industries, as well as to serve existing industries along this waterway; would aid agriculture by development of methods of irrigation; and would create various recreational facilities; and would vastly increase the commerce handled through the Alabama State Docks at Mobile; and would provide employment in construction and operation, and permanent employment in increased industrial development along such waterway; and would for all of these reasons create a great wealth for our State and the Nation; and,

WHEREAS, the completion of this vast justified and needed improvement will require expenditures to be appropriated by the Federal Government in addition to expenditures by public utilities for the production of hydro-electric power; and

WHEREAS, a further postponement of this development will involve a continuing loss to our State and Nation of great proportions;

NOW, THEREFORE, BE IT RESOLVED by the Senate, the House of Representatives concurring, that the Federal Government be requested to proceed with the completion of the improvements to pavigation and the construction of the necessary locks in connection with the dams already constructed and in connection with dams now proposed to be constructed by the Alabama Power Company, and the construction of other dams in accordance with the approved plan for the development of the Alabama-Coosa Rivers from Mobile, Alabama, to Rome, Georgia; and that our Senators and Representatives in Congress be urged to make every effort to obtain the necessary appropriations to proceed with this development as soon as possible; and that a copy of this Resolution be sent to our Senators and Representatives in Congress; and that they be assured that the complete development of such improvement has the approval and support of the State of Alabama and of its people generally, and is of national scope and concern; and that a copy of this Resolution also be transmitted to the President of the United States.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Martin the rules were suspended and the House concurred in and adopted the S.J.R. 4 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Lamberth:

S. 2. To extend, alter, rearrange and describe the boundary lines and corporate limits of the City of Alexander City, Tallapoosa County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

The following Act will be introduced in the Legislature of Alabama at its present special term.

(Signed): Joe H. Robinson, Mayor. Councilmen: James S. Callahan, T. H. Thompson, Jr., I. W. Bishop, Temple W. Coley, Lynn H. Blair.

AN ACT

To extend, alter, rearrange and describe the boundary lines and corporate limits of the City of Alexander City, Tallapoosa County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That from and after the passage and approval of this act the boundary line and corporate limits of Alexander City, Tallapoosa County, Alabama are extended, altered and rearranged so as to include in the corporate limits of the City of Alexander City, Tallapoosa County, Alabama all the property within the following described boundary, to wit:

Begin at the southwest corner of Section 12, T/S 22 N, Range 21 E Tallapoosa County, Alabama; thence run east along the southern boundary of said section to the southeast corner of said section; thence north along the east boundary line of said Section 12, and Section 1, T/S 22 N, Range 21 E to a point where said section line intersects the north property line of the Central of Georgia Railroad; thence run in a northerly direction along said right of way line to a point 10 feet south of the northern boundary line of Section 2, T/S 22 N, Range 21 E; thence west to a point 10 feet west of the west right of way line of the Central of Georgia Railroad; thence run northwest paralleling the western right of way line of said railroad to a point in the center of Sixth Street, Alexander City, Alabama; thence run in a westerly direction along the center line of Maple street a distance of 517 feet to the intersection with the center line of Iris Avenue; thence westerly along the center line of Iris Avenue a distance of 1164 feet to the intersection with the center line of Pine Street; thence northeasterly along the center of Pine Street to intersection with center line of Lakeland Avenue; thence run in a northeasterly direction 796 feet to an iron corner on the west right of way line of the Central of Georgia Railroad; thence run in a southeasterly direction along the west property line of said railroad to a point where the said west right of way line intersects the northern boundary of Section 2, T/S 22 N, Range 21 E; thence east along the northern boundary of said section 2 a distance of 500 feet to a corner; thence south 710 feet to a point which is 10 feet north of the easterly property line of the Central of Georgia railroad right of way; thence run in a southeasterly direction paralleling the right of way of the Central of Georgia Railroad to a point on the eastern boundary of Section 1, T/S 22 N, Range 21 E; thence north along the east boundary of said section 1 to the northeast corner of said section; thence west along the north boundary of said section 1 to the Northwest corner of the Northeast quarter of Section 1; T/S 22 N, Range 21 E; thence north along the half section line to the Northwest corner of the northeast quarter of Section 24, T/S 23 N, Range 21 E; thence west along the north boundaries of Sections 24 and 23 to the northwest corner of Section 23, T/S 23 N, Range 21 E; thence south along the west boundary of said section 23 to the southwest corner of the Northwest quarter of said section 23; thence west along the half section line of Sections 22, 21, 20, and 19, T/S 23 N, range 21 E to the Northwest corner of the NE1/4 of SE1/4 of Section 19, T/S 23 N, Range 21 E; thence due south through Sections 19, 30, and 31 T/S 23 N, Range 21 E and Sections 6 and 7, T/S 22 N, Range 21 E to the southwest corner of the Northeast quarter of the northeast quarter of Section 7, T/S 22 N, Range 21 E; thence east along said forty line to where the same intersects the west right of way line of Alabama Highway No. 22, known as the Rockford Road; thence run in a northeasterly direction along the said right of way line of Alabama Highway 22 to the point where the same intersects the center line of Russell Road; thence northeast along the said Highway right of way 1080 feet to a point; thence in a northwesterly direction paralleling Mira Road, and 150 feet from the center line thereof, to a point 10 feet south of southwestern right of way line of the Central of Georgia Railroad; thence run northwesterly parallel with said railroad right of way to a point on the center line of Mira Road, formerly U. S. 241 Bypass road, thence run southwest at right angles to the said railroad right of way a distance of 500 feet to a point; thence run in a northwesterly direction parallel with the right of way of the Central of Georgia Railroad a distance of 4800 feet to a point; thence make a 90 degree turn to the right and run 510 feet to a point on the western right of way line of the Central of Georgia railroad; thence run in southerly direction following the west and south right of way line of the Central

of Georgia railroad to a point where the same intersects the center line of Elkahatchee street; thence south along the center line of Elkahatchee street a distance of 600 feet to a point; thence west at right angles to the center of Elkahatchee street a distance of 150 feet to a point; thence south-erly parallel with the center line of Elkahatchee street a distance of 1290 feet to the center line of Russell Road; thence west along the center line of Russell Road a distance of 3700 feet to its intersection with the south right of way line of Alabama Highway No. 22; thence in a southwesterly direction along the right of way of said Highway 22 to its intersection with the south boundary line of the NE 1/4 of NE 1/4 Section 7, T/S 22 N, Range 21 E; thence run east along said forty line and across Sections 8, 9 and 10 to the Southwest corner of the Northwest quarter of the northwest quarter of Section 11, T/S 22 n, Range 21 E; thence south along the west boundary of Section 11, T/S 22 N, Range 21 E to the southwest corner of said section; thence run east along the southern boundary of said section 11 to the point of beginning.

Section 2. That all laws and parts of laws, both general, special, and local, in conflict with this Act, be and the same are hereby repealed.

Section 3. That this Act shall go into effect immediately upon its approval by the Governor.

F8, 15, 22, M1c

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF TALLAPOOSA.

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 8, Feb. 15, Feb. 22, and March 1, all in the year 1955.

J. C. HENDERSON

Sworn to and subscribed before me March 1, 1955.

WILLIE I. BYRD,
Notary Public

Also:

By Mr. Engelhardt:

S. 5. Relating to Macon County; amending Section 10 of Act No. 334, H. 826, enacted September 12, 1939 (Local Acts of 1939, p. 225), the Act which created and established the Board of Revenue.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

Relating to Macon County; amending Section 10 of Act No. 334, H. 826, enacted September 12, 1939 (Local Acts of 1939, p. 225), the Act which created and established the Board of Revenue.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 10 of Act. No. 334, H. 826, enacted September 12, 1939 (Local Acts of 1939, p. 225), the Act which created and established the Board of Revenue of Macon County, is amended to read as follows:

"The members of said Board of Revenue, including the chairman, shall each be entitled to receive a monthly salary of one hundred fifty dollars for the performance of their duties, to be paid out of the county treasury on the certificate or warrant of the chairman. 2-10-4t

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF MACON.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Hal Fisher, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 10, Feb. 17, Feb. 24, and March 3, all in the year 1955.

HAL FISHER,

Sworn to and subscribed before me March 7, 1955.

GRACE P. YOUNGBLOOD,
Notary Public

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 2. Local Legislation No. 1.

S. 5. Local Legislation No. 1.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Murphy, Simon and Tyson:

H.R. 17. Resolution requesting an advisory opinion of the Justices of the Supreme Court relative to the constitutionality of H. 69, a bill pending in the House of Representatives.

RESOLVED by the House of Representatives, that the Justices of the Supreme Court of Alabama, or a majority of them, are respectfully requested to give this body their written opinions concerning the following important constitutional questions which have arisen in connection with H. 69, by Messrs. Murphy, Simon, and Tyson, a bill pending before the Legislature relating to the compensation of judges of the circuit court of any county having a population of not less than 225,000 inhabitants nor more than 400,000 inhabitants, according to the last or any sub-

sequent decennial federal census, who are commissioned supernumerary circuit judges of this State, providing for a county supplement to the salaries paid such judges by the State. Said H. 69 without its title is quoted in words and figures as follows:

Section 1. Any judge of the circuit court of any county having a population of not less than 225,000 inhabitants nor more than 400,000 inhabitants, according to the last or any subsequent decennial federal census, who is commissioned a supernumerary circuit judge of this State, shall be entitled to receive such additional compensation, payable from the treasury of such county, as is necessary to cause the total annual salary received by such supernumerary circuit judge to equal six thousand dollars (\$6,000) per annum. The salary provided for herein is supplementary to the salary paid such judges by the State, and shall be paid out of the general funds of the county, in 12 equal monthly installments, on warrants properly drawn against such funds.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Question 1. If enacted, would H. 69 be violative of amendment XCII, ratified May 16, 1952, which relates to the increasing or decreasing of the compensation of state and county officers during the term for which they were elected or appointed?

Question 2. Since the Act would be presently applicable to Mobile County only, does the bill propose a general law within the meaning of Section 110 of the Constitution?

Question 3. Does the bill propose a local law within the meaning of Section 106 of the Constitution?

RESOLVED FURTHER, that the Clerk of the House be directed to transmit, forthwith, seven true copies of this resolution to the Clerk of the Supreme Court.

On motion of Mr. Murphy the rules were suspended and H.R. 17 was adopted.

Also:

By Mr. Hawkins:

H.J.R. 18. BE IT RESOLVED by the House of Representatives, the Senate concurring, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, March 22, 1955.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 18 was adopted.

MESSAGE FROM THE SENATE

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:

SENATE JOINT RESOLUTION MEMORIALIZING CONGRESS TO PROTECT THE LEGISLATIVE PREROGATIVES OF THE STATES

By Messrs: Coleman and Davis (Pickens):

S.J.R. 5. WHEREAS, on the newly developed and expanding theory that the several States are powerless to legislate in any field occupied by Federal legislation, the courts have recently held State laws to be invalid even though there be no conflict or inconsistency between State and Federal enactments, and regardless of the fact that the Federal statute involved contains no provision that such was the intent of Congress; and,

WHEREAS, this doctrine of Federal pre-emption is applied by the courts on the assumption that the Congress intends to prohibit the States from exercising any powers in relation to any matters dealt with by Congress, unless the Congress expressly declares itself to the contrary;

AND, WHEREAS, the application of this doctrine, coupled with the prevailing and broadened concept of the term "interstate commerce," means that most State laws of any great importance are now in jeopardy and of questionable validity;

AND WHEREAS, there is an urgent necessity that the laws of Alabama remain in effect for the governance and protection of the people of this State in the manner determined by the people of this State, to the extent that such laws do not contravene the laws of the United States:

NOW, THEREFORE, BE IT RESOLVED by the Senate of the State of Alabama, the House concurring, that existing State laws which do not conflict with Federal legislation be not allowed to perish under the doctrine of Federal pre-emption, and that to this end the members of the National Congress from Alabama be respectfully requested to lend the full weight of their support and influence to the speedy enactment of Federal legislation designed to accomplish the objectives of H.R. 3 to Protect State Laws, as introduced in the 84th Congress by Representative Howard W. Smith of Virginia. The proposed bill reads as follows:

"That no Act of Congress shall be construed as indicating an intent on the part of Congress to occupy the field in which such Act operates, to the exclusion of all State laws on the same subject matter, unless such Act contains an express provision to that effect. No Act of Congress shall be construed as invalidating a provision of State law which would be valid in the absence of such Act, unless there is a direct and positive conflict between an express provision of such Act and such provision of the State law so that the two cannot be reconciled or consistently stand together."

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journal of the Senate, and of the House of Representatives, and that the Secretary of the Senate be instructed to forward a copy of this Resolution to each of the United States Senators and Congressmen from Alabama.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

The S.J.R. 5 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Tate and Roberts:

S. 9. To make an appropriation to pay the expenses of a delegation from the Alabama-Coosa River Development Association to go to Washington on certain public business.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 9. Ways and Means.

BILLS ON SECOND READING

Mr. Brassell, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

(With Amendment):

H. 17. To prescribe additional qualifications for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

Mr. Brassell, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 21. To amend Section 27, Title 10, Code of Alabama (1940), which relates to corporations.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

(With Amendment):

H. 56. Relating to judicial procedure; making exception to rulings of the court unnecessary and prescribing the manner of requesting and of objecting to such rulings.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 57. To amend further Section 272 of Title 7, Code of Alabama (1940), which relates to the court reporter taking down the charge of the judge in civil and criminal cases.

H. 59. Relating to judicial procedure; authorizing the calling and

empanelling of alternate jurors for trials in civil, criminal and equity cases.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With amendment, and it was read a second time and placed on the Calendar, to-wit:

(With Amendment):

H. 64. To amend Section 567 of Title 52, Code of Alabama (1940), which relates to the adverse possession of sixteenth section lands under color of title.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 1. To amend Act No. 323, H. 35, approved August 2, 1949, entitled "An Act To provide for a refund of a portion of the State tax paid on gasoline when the gasoline is used in propelling or operating tractors used exclusively for agricultural purposes; prescribing a procedure for effecting refunds; authorizing the Commissioner of Revenue to issue permits and make rules and regulations to administer the Act; defining violations of the Act and prescribing penalties therefor" (1949 Acts 469).

Mr. Solomon Chairman of the Standing Committee on Agriculture reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

(With Substitute):

H. 36. To regulate the sale of eggs in Alabama by requiring accurate labeling of containers in which eggs are sold; to require accurate labeling of such egg containers with respect to the grade and weight classes of eggs contained therein and to authorize the State Board of Agriculture and Industries to establish reasonable standards, grades of quality and weight classes for the sale of eggs; to levy and collect an inspection fee upon the sale of eggs and to require egg dealers to obtain a permit from the Commissioner of Agriculture and Industries before engaging in the sale of eggs; to make an appropriation to defray costs and expenses incident to the administration and enforcement of this Act; to authorize the adoption of rules and regulations for the execution of this Act and to provide exemptions of the sale of eggs from this Act; prescribe a penalty for violations together with other administrative and enforcement provisions; to repeal Article 15 of Title 2, Code of Alabama of 1940.

Mr. Murphy Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar to-wit:

S. 3. To permit banks now or hereafter having a combined paid-in capital and paid-in or earned surplus of more than One Million Dollars and situated in Counties having a population according to the 1950 or any subsequent decennial census of the United States of not less than 94,000 inhabitants nor more than 135,000 inhabitants, to establish,

maintain, or operate new branches or branch banks, branch offices branch agencies, additional offices or branch places of business within the limits of such County in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the State Superintendent of Banks.

H. 61. To apply in all counties having a population of not less than 47,500 nor more than 52,500 inhabitants, according to the last or any subsequent federal decennial census; providing for the appointment of a deputy clerk of the circuit court of such counties; prescribing the duties, powers, and authority of such deputy, fixing his compensation and designating the method of payment and the fund from which such compensation shall be paid.

H. 62. To apply in all counties having a population of not less than 47,500 nor more than 52,500, according to the last or any subsequent federal decennial census; regulating further the office of county solicitor in such counties; imposing extra, new, and additional duties upon such officer, and providing further for his compensation.

H. 69. Relating to the compensation of judges of the circuit court of counties having a population of not less than 225,000 inhabitants nor more than 400,000 inhabitants, according to the last or any subsequent decennial federal census, who are commissioned supernumerary circuit judges of this State; providing for a county supplement to the salaries paid such judges by the State.

H. 68. To apply in all counties having a population of not less than 225,000 nor more than 400,000, according to the last or any subsequent federal decennial census; authorizing non-residents who are arrested for certain misdemeanors, relative to the operation of motor vehicles on the public roads and highways to secure their release by posting a cash sum with the sheriff of the county in lieu of an appearance bond.

H. 70. Relating to counties having a population of not less than 94,000 people, nor more than 134,000 people, according to the last Federal Decennial Census, or any subsequent Federal Decennial Census; requiring the Court of County Commissioners, Board of Revenue, or like governing bodies of said counties to cover, or cause to be covered certain employees of said counties, or any agency or instrumentality thereof, including the employees of elected officials, under the Workmen's Compensation Act.

H. 39. Relating to Marion County; levying a county privilege license tax on electric and hydro-electric public utilities, providing for the collection and enforcement of such tax and for the distribution and use of the proceeds thereof.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Stokes:

H. 74. To amend further Act No. 515, General Acts of Alabama, Regular Session, 1945, page 734, as amended, which established the Employees' Retirement System of Alabama.

Ways and Means.

By Mr. Martin:

H. 75. To raise revenue; levying and imposing a dues tax on membership in any charitable, benevolent, industrial, commercial, civic, educational, or labor organization, association, club, or group.

Rules.

By Messrs. Brooks and Dickson (With Notice and Proof)

H. 76. To fix the compensation of the county solicitor of Lowndes County.

Notice and Proof H. 76.

Local Legislation No. 1.

STATE OF ALABAMA,
COUNTY OF LOWNDES.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the compensation of the county solicitor of Lowndes County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. After the expiration of the term of the present incumbent, the salary of the county solicitor of Lowndes County shall be the sum of one thousand eight hundred dollars (\$1,800) per annum, payable in twelve equal monthly installments in the same manner as the salary of the county solicitor of Lowndes County is now paid.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.
46—4tc

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF LOWNDES.

Before me, the undersigned authority in and for said County in said State, this day personally appeared S. K. Perry, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of The Lowndes Signal, a newspaper of general circulation published in Lowndes County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 18th, Feb. 25th, March 4th, and March 11th, all in the year 1955.

S. K. PERRY

Sworn to and subscribed before me 14th day of March, 1955.

ANNE GAFFORD,
Notary Public

By Mr. Windle (With Notice and Proof)

H. 77. To authorize the governing body of Pickens County, Alabama, to call an election in said county for the purpose of determining whether or not the said governing body of Pickens County may levy an additional privilege or license and excise and sales tax equalling one-half of one cent or one-sixth of and otherwise paralleling, with like provisions in Pickens County, such State taxes as are levied by the State of Alabama by Sections 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama and the amendments thereto, except that only one-sixth of the state levy may be levied by said county and providing for the collection thereof and also providing that the revenues arising from any levy made by said governing body of said county under authority of this act shall be used for the hospitals in said county, for their repair, operation and maintenance, which hospitals are owned and operated by the Pickens County Hospital Association, and for such other and additional health purposes as the governing body of said county may deem meet and proper in said county.

Notice and Proof H. 77.

Local Legislation No. 1.

Notice of intention to introduce a Local Act To Permit The Governing Body of Pickens County To Levy a Privilege Or License Tax And Excise And Sales Tax In Pickens County.

STATE OF ALABAMA, PICKENS COUNTY.

Notice is hereby given that at the next session of the Legislature, to be held for the State of Alabama, a Bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

AN ACT

To authorize the governing body of Pickens County, Alabama, to call an election in said county for the purpose of determining whether or not the said governing body of Pickens County may levy an additional privilege or license and excise and sales tax equalling one-half of one cent or one-sixth of and otherwise paralleling, with like provisions in Pickens County, such State taxes as are levied by the State of Alabama by Sections 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama and the amendments thereto, except that only one-sixth of the state levy may be levied by said county and providing for the collection thereof and also providing that the revenues arising from any levy made by said governing body of said county under authority of this act shall be used for the hospitals in said county, for their repair, operation and maintenance, which hospitals are owned and operated by the Pickens County Hospital Association, and for such other and additional health purposes as the governing body of said county may deem meet and proper in said county.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALABAMA:

Section 1. That the governing body of Pickens County, Alabama, is hereby authorized to call an election of the qualified voters of said County for the purpose of determining whether or not said County governing body may levy a special privilege or license and excise tax in the amount of one-sixth of and otherwise paralleling, with like pro-

sions, such State taxes as are levied by Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama as follows:

(a) Upon every person, firm or corporation engaged, or continuing in Pickens County, Alabama, in business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character, (not including, however, bonds or other evidences of debts or stocks), an amount equal to one-half of one percent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required of the gross proceeds or retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer, on the gross sales of the business.

(b) Upon every person, firm or corporation engaged or continuing within Pickens County, Alabama, in the business of conducting or operating, places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theatres, opera houses, moving picture shows, vaudevilles, amusement parks athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games, (including athletic contests conducted by or under the auspices of any educational institution within this County, or any athletic association thereof, or other association whether such institution or association be a denominational, a state, a county, or a municipal institution or association or a State, County, or city school or other institution, association or school, skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within said County an amount equal to one-half of one percent of the gross receipts of any such business.

(c) Upon every person firm or corporation engaged or continuing within this County in the business of selling any automotive vehicle or truck trailer and semitrailer, an amount equal to one-sixth of one percent of the gross proceeds of sale of said automotive vehicle, or truck trailer and semi-trailer.

(d) The tax levied in Section One hereof shall be subject to all the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines and punishments and deductions set out in Section 752 through Section 786 and Article Ten of Chapter 20 of Title 51 of the Code of Alabama, and where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof.

Section 2. (a) In Pickens County, Alabama, an excise tax may be imposed on the storage, use or other consumption in Pickens County, Alabama, of tangible personal property purchased at retail on or after effective date of this act, for storage, use or consumption in Pickens County, Alabama, at the rate of one half of one percent of the sales price of such property, except as provided in subsection (b) of this section.

(b) In Pickens County, Alabama, an excise tax is hereby imposed on the storage, use, or other consumption in Pickens County, Alabama,

of any automotive vehicle purchased at retail on or after the effective date of this Act, for storage, use or other consumption in Pickens County, Alabama, at the rate of one-sixth of one percent of the sale price of such automotive vehicle. Every person storing, using or otherwise consuming in Pickens County, Alabama, tangible personal property purchased at retail shall be liable for the tax imposed hereby and the liability shall not be extinguished until the tax has been paid; provided, however, that a receipt from a retailer maintaining a place of business in Pickens County Alabama, showing the payment of said tax, shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer.

(c) The tax levied in Section Two hereof shall be subject to all the definitions, exceptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, and punishments and deductions set out in Section 787 through Section 811 and Article II of Chapter 20 of Title 51 of the Code of Alabama, and amendments thereto, except where inapplicable or where herein otherwise; provided, all of which are adopted and made a part hereof by reference, including the provisions of the enforcement and collection thereof.

Section 3. The taxes as herein levied, together with the interest and penalties imposed by this Act, shall be a lien upon the property of any person, firm or corporation due said taxes under the provisions of this Act, and all of the provisions of the revenue laws of the State of Alabama applying to or with reference to the enforcement of liens for license taxes due the State of Alabama shall apply fully to the collection of the taxes herein levied and the State Department of Revenue, for the use and benefit of Pickens County, shall collect or enforce said taxes in the manner and form therein provided, and as further provided in Section 4 hereof.

Section 4. The taxes herein levied shall be collected by the Department of Revenue of this State at the same time and along with the collection by such Department of Revenue of taxes levied and collected for the State of Alabama under Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama and amendments thereto, and all reports now required to be made to the Commissioners of Revenue of the State of Alabama shall, on request of the Department of Revenue of Alabama, be available for inspection by the Chairman of the Pickens County Commissioners Court, or his designated agent, at reasonable times during business hours. The State Department of Revenue shall prepare and distribute such reports, forms and other information as may be necessary for the collection of the additional taxes levied herein, and shall have all the authority and duties in connection with such additional taxes as are now given by law to the said Department of Revenue for the collection of state sales and use taxes under Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama and amendments thereto. It shall be the duty of the Commissioner of Revenue of the State of Alabama to pay into the State Treasury of Alabama all collections of taxes made hereunder, and on or before the first day of the following month such Commissioner of Revenue of the State Department of Revenue shall certify to the State Treasurer the amount of special taxes levied and collected under this Act for the use and benefit of Pickens County during the calendar month immediately preceding the making of such certificate to the State Treasurer, where upon it shall be the duty of the State Treasurer to issue his warrant on the State Treasury, payable to Pickens County for the amount so certified by the Commissioner of Revenue as having been collected for the use and benefit of Pickens County and paid into the State Treasury. The State Department of

Revenue shall charge Pickens County for collecting said special taxes herein levied a percentage of said taxes to be computed on the basis that the total cost of collecting the State Sales and Use Taxes bears to the total of said State Sales and Use Taxes collected for each fiscal year ending September 30th. Such charge for collecting said special taxes shall be deducted once each year from the special sales and Special Use Taxes collected in the month of September of each year before certifying the amount of special sales and Special Use Taxes due Pickens County for said month.

Section 5. The taxes imposed hereby shall be in addition to all other licenses and taxes levied by law as a condition precedent to engage in any business taxable hereunder in Pickens County, Alabama, except as herein otherwise specifically provided.

Section 6. The taxes herein levied shall be due and collectible as the time and manner and as set out in Section 752 through Section 811 and in Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, and all of the methods and provisions given to the State of Alabama as to the collecting of said taxes; under the provisions of Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, and amendments thereto, are given hereby to Pickens County, Alabama, and to the State Department of Revenue of Alabama, for Pickens County's use as to the taxes hereby levied.

Section 7. All revenue arising from the taxes herein levied shall be used exclusively and solely for the following purposes: For the repair, maintenance and operation of the two hospitals in Pickens County, one at Aliceville and the other at Reform, owned and operated by the Pickens County Hospital Association, and for such other public health purposes of any kind and description as in the judgment of the Commissioners Court of Pickens County is meet and proper.

Section 8. The governing body of Pickens County shall determine the date upon which this referendum election is to be held. The Chairman of the governing body of said County shall issue a proclamation stating the time of holding the election and the proposition to be submitted to the electors and said proclamation shall be published one time at least ten days prior to the election in a newspaper of general circulation in said County. Said special election shall be conducted in the same manner as are general elections in said County.

Section 9. Should a majority of those participating in said election vote in favor of the imposition of said tax as provided herein, the governing body of Pickens County, Ala., may impose such tax in the amount and under the conditions and provisions set forth in this Act.

Section 10. If any provision of this act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this act or the application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

Section 11. All laws or parts of laws which conflict with this Act are repealed.

Section 12. This Act shall go into effect upon its passage and approval by the Governor or upon its otherwise becoming a law.

2-25-4tc

PROOF OF PUBLICATION

THE STATE OF ALABAMA,
PICKENS COUNTY.

Before me, Frances Davis, a Notary Public in and for said County, personally appeared J. Grace Pratt, Publisher of the Pickens County Herald & West Alabamian, a newspaper published in said County, who, being by me first duly sworn, states that the attached notice has been regularly published once a week for 4 consecutive weeks in said paper in issues dated as follows:

Feb. 25, 1955; March 3, 1955; March 10, 1955; March 17, 1955.

J. Grace Pratt

Subscribed and sworn to before me, this the 17 day of March, 1955.

FRANCES DAVIS,
Notary Public

By Messrs. Callahan and deGraffenried:

H. 78. To authorize and empower the county governing body in any County of this State, having a population of not less than 94,000 and not more than 134,000, according to the last or any subsequent Federal Decennial Census, to employ one or more Probation officers, to work with Courts in such Counties having jurisdiction of juvenile offenders, and to authorize the payment of the salary and expenses of such Probation officer, and to authorize and empower municipalities in such Counties to join with such Counties in the payment of the salaries and expenses of such Probation officer.

Local Legislation No. 1

BILLS ON THIRD READING

H. 32. To prescribe a penalty for throwing, dumping or leaving debris, trash or rubbish on the land of another, without the owner's permission.

Was taken up.

On motion of Mr. Hain, the bill, H. 32, was indefinitely postponed.

PURSUANT TO S.J.R. 3

The Speaker of the House announced, pursuant to the provisions of S.J.R. 3 heretofore adopted, that the two Houses of the Legislature of Alabama would meet in joint session on Tuesday, March 22, 1955, at 12 o'clock, noon, for the purpose of hearing an address by Honorable Herman Talmadge, former Governor of the State of Georgia.

ADJOURNMENT

On motion of Mr. Brewer the House adjourned until Tuesday, March 22, 1955, at eleven o'clock A.M.

SIXTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, March 22, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend John R. Riddle, Pastor, Ridgecrest Baptist Church, Montgomery Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards ^(Escambia)	Kelly	Oden
Adams	Faulk	Kendall	Payne
Albea	Ferrell	Killough	Perry
Ashworth	Franklin	Kirkham	Pirkle
Bagley	Gist	Lackey	Pruitt
Bassett	Goodwyn	Law	Ramey
Boyd	Gregory	Lee ^(Barbour)	Reynolds
Bradford	Grouby	Lee ^(Lawrence)	Richardson
Brannan	Hain	Locke ^(Choctaw)	Roberts
Branyon	Hall	Locke ^(Perry)	Selman
Brassell	Haltom	Love	Shumate
Brewer	Hanby	McClendon	Simon
Broadfoot	Hardy	McKay	Solomon
Brooks	Hare	McNider	Speaks
Brown ^(Lamar)	Harrison	Martin	Steagall
Brown ^(Lee)	Harvey	Mathews	Stembridge
Burkhalter	Hawkins	Mathison	Stokes
Callahan	Hodges	Meeks	Summerlin
Cornett	Holliman	Molette	Taylor
Cox	Huddleston	Money	Thomas
Davis	Hunt	Murphy	Tyson
Dawkins	Jenkins	Nettles	Vacca
deGraffenried	Johnson ^(Elmore)	Nice	Ward
Dement	Johnson ^(Tallapoosa)	Nolen	Windle
DeSear	Kaul	Oakley	Wood
Dickson			

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fifth legislative day and finds the same to be correct.

RANKIN FITE
Chairman

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the fifth legislative day was dispensed with and the report of the Standing Committee on Rules, was concurred in and adopted, and the Journal of the fifth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 1. Relating to Butler County; to provide further for the selection of the county superintendent of education, making the operation of the Act contingent upon its approval at a referendum election.

Also:

H. 4. To alter, rearrange, and extend the boundaries of the City of Ozark in Dale County.

Also:

H. 7. To authorize and empower the Register of the Circuit Court in Equity of Madison County, Alabama, to appoint a Chief Clerk, and to fix the salary and to provide the method of payment of salary of said Chief Clerk.

Also:

H. 8. Relating to Marion County: To authorize the county governing body to employ an industrial development agent for the County, fix his term of employment and compensation, and prescribe his duties.

Also:

H. 9. Relating to Marion County: To establish the Marion County Court; to define its jurisdiction and powers; to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge to fix the time of sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the county court for Marion County and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Marion County.

Also:

H. 10. Relating to Marion County: To provide further for the distribution of fines and forfeitures in certain cases.

Also:

H. 11. Relating to Mobile County; withdrawing and taking away from justices of the peace and notaries public ex officio jurisdiction in certain cases; forbidding justices of the peace and notaries public ex officio to exercise any jurisdiction in criminal or quasi-criminal cases of garnishment and attachment proceedings, making it a misdemeanor for a justice of the peace or notary ex officio, his agent or clerk, to issue a writ of garnishment or attachment, and prescribing a penalty therefore declaring that a writ of garnishment or attachment issued by a justice shall be null and void; and transferring pending cases and proceedings to the Inferior Criminal Court of Mobile County.

Also:

H. 12. To authorize the County Treasurer of Mobile County to appoint an Assistant Treasurer of Mobile County; to provide the qualifications of such Assistant Treasurer, the term of office of such Assistant Treasurer, the duties to be performed by such Assistant Treasurer; the bond required of such Assistant Treasurer, and the method of paying the premium of such bond; the compensation of such Assistant Treasurer, and the manner and method of the payment there-

of; and fixing the time at which said Act shall go into effect.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 13. To extend the term of office of the members of the Board of Revenue and Road Commissioners of Mobile County, Alabama, for a period of two years from the expiration of their present term of office; to provide how, when and for what term of office their successors shall be elected and to repeal only those laws, or parts of laws, which are in conflict herewith.

Also:

H. 14. Relating to Mobile County; to confer additional civil jurisdiction upon the Inferior Criminal Court of Mobile County.

Also:

H. 16. To establish in Mobile County, Alabama, the positions of Administrative Assistant to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama and Legal Stenographer to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama; to prescribe their duties; to fix their term of employment and to prescribe their compensation and provide for the payment of their compensation out of the General Fund of Mobile County, Alabama.

Also:

H. 19. To extend the term of office of Commissioner of Licenses in all counties of this State having a population of not less than 230,000 nor more than 400,000, according to the last or any subsequent Federal census, for a period of two years from the expiration of their present term of office; to provide how, when and for what term of office their successors shall be elected and to repeal only those laws or parts of law, which are in conflict herewith.

Also:

H. 20. To extend the term of the office of coroner in all counties of this State having a population of not less than 230,000 inhabitants nor more than 400,000 inhabitants, according to the last or any subsequent decennial federal census, for a period of two years from the expiration of their present term of office; and to provide for the election and term of office of their successors.

Also:

H. 23. Relating to Russell County; providing for the reidentification of each qualified elector of Russell County; requiring the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification

Also:

H. 26. Relating to Crenshaw County: Authorizing the sheriff to ap-

point an additional deputy, and providing for the payment of the compensation of such deputy.

Also:

H. 27. To permit banks now or hereafter having a combined paid-in capital and paid-in or earned surplus of more than One Million Dollars and situated in Counties having a population according to the 1950 or any subsequent decennial census of the United States of not less than 94,000 inhabitants nor more than 135,000 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such County in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the State Superintendent of Banks.

Also:

H. 28. Relating to Tuscaloosa County; To amend Section 1 of Act No. 129, approved June 12, 1935 (Local Acts of Alabama, 1935, Page, 62 entitled "An Act To Fix The Compensation Or Salary To Be Paid The Judge of Probate Of Tuscaloosa County, Alabama," etc.)

J. E. SPEIGHT,
Secretary

OFFICE OF
CLERK OF THE SUPREME COURT
STATE OF ALABAMA
MONTGOMERY
March 18, 1955

J. Render Thomas
Clerk

Honorable Robert T. Goodwyn, Jr.
Clerk of the House of Representatives
Legislature of Alabama
State Capitol
Montgomery, Alabama

In re: Request for an Advisory Opinion
as to House Resolution No. 11, involving
the Constitutionality of HB-39, relating
to Marion County License Tax on Hydro-
public Utilities

Dear Mr. Goodwyn:

I enclose you herewith two copies of the opinion of a majority of the Justices of the Supreme Court of Alabama, rendered on March 18, 1955, in response and answer to the request of The House of Representatives for an advisory opinion as to House Resolution No. 11, involving the constitutionality of HB-39 relating to Marion County License Tax on Hydro-public Utilities, as the same appears and remains on record on file in this office.

Yours very truly,
J. Render Thomas,
Clerk of the Supreme Court of
Alabama

JRT/ld
Encls:2.

SUPREME COURT ADVISORY OPINION

Received, read and ordered filed.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H.J.R. 8. Relative to appointing a committee to make a study of Act No. 777 concerning mentally ill persons committed to State institutions to report to the regular session of the Legislature in May, 1955.

And finds same correctly enrolled.

RANKIN FITE
Chairman

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1. Relating to Butler County; to provide further for the selection of the county superintendent of education, making the operation of the Act contingent upon its approval at a referendum election.

Also:

H. 4. To alter, rearrange, and extend the boundaries of the City of Ozark in Dale County.

Also:

H. 7. To authorize and empower the Register of the Circuit Court in Equity of Madison County, Alabama, to appoint a Chief Clerk, and to fix the salary and to provide the method of payment of salary of said Chief Clerk.

Also:

H. 8. Relating to Marion County: To authorize the county governing body to employ an industrial development agent for the County, fix his term of employment and compensation, and prescribe his duties.

Also:

H. 9. Relating to Marion County: To establish the Marion County Court; to define its jurisdiction and powers; to provide for its officers, their appointment, election, term of office, powers, duties and compen-

sation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge to fix the time of sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the county court for Marion County and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Marion County.

Also:

H. 10. Relating to Marion County: To provide further for the distribution of fines and forfeitures in certain cases.

Also:

H. 11. Relating to Mobile County; withdrawing and taking away from justices of the peace and notaries public ex officio jurisdiction in certain cases; forbidding justices of the peace and notaries public ex officio to exercise any jurisdiction in criminal or quasi-criminal cases of garnishment and attachment proceedings, making it a misdemeanor for a justice of the peace or notary ex officio, his agent or clerk, to issue a writ of garnishment or attachment, and prescribing a penalty therefore; declaring that a writ of garnishment or attachment issued by a justice shall be null and void; and transferring pending cases and proceedings to the Inferior Criminal Court of Mobile County.

Also:

H. 12. To authorize the County Treasurer of Mobile County to appoint an Assistant Treasurer of Mobile County; to provide the qualifications of such Assistant Treasurer, the term of office of such Assistant Treasurer, the duties to be performed by such Assistant Treasurer; the bond required of such Assistant Treasurer, and the method of paying the premium of such bond; the compensation of such Assistant Treasurer, and the manner and method of the payment thereof; and fixing the time at which said Act shall go into effect.

Also:

H. 13. To extend the term of office of the members of the Board of Revenue and Road Commissioners of Mobile County, Alabama, for a period of two years from the expiration of their present term of office; to provide how, when and for what term of office their successors shall be elected and to repeal only those laws, or parts of laws, which are in conflict herewith.

Also:

H. 14. Relating to Mobile County; to confer additional civil jurisdiction upon the Inferior Criminal Court of Mobile County.

Also:

H. 16. To establish in Mobile County, Alabama, the positions of Administrative Assistant to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama and Legal Stenographer to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama; to prescribe their duties; to fix their term of employment and to prescribe their compensation and provide for the payment of their compensation out of the General Fund of Mobile County, Alabama.

Also:

H. 19. To extend the term of office of Commissioner of Licenses in all counties of this State having a population of not less than 230,000 nor more than 400,000, according to the last or any subsequent Federal census, for a period of two years from the expiration of their present term of office; to provide how, when and for what term of office their successors shall be elected and to repeal only those laws, or parts of law, which are in conflict herewith.

Also:

H. 20. To extend the term of the office of coroner in all counties of this State having a population of not less than 230,000 inhabitants nor more than 400,000 inhabitants, according to the last or any subsequent decennial federal census, for a period of two years from the expiration of their present term of office; and to provide for the election and term of office of their successors.

Also:

H. 23. Relating to Russell County; providing for the reidentification of each qualified elector of Russell County; requiring the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Also:

H. 26. Relating to Crenshaw County: Authorizing the sheriff to appoint an additional deputy, and providing for the payment of the compensation of such deputy.

Also:

H. 27. To permit banks now or hereafter having a combined paid-in capital and paid-in or earned surplus of more than One Million Dollars and situated in Counties having a population according to the 1950 or any subsequent decennial census of the United States of not less than 94,000 inhabitants nor more than 135,000 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such County in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the State Superintendent of Banks.

Also:

H. 28. Relating to Tuscaloosa County: To amend Section 1 of Act No. 129, approved June 12, 1935 (Local Acts of Alabama, 1935, Page 62 entitled "An Act To Fix The Compensation Or Salary To Be Paid The Judge Of Probate Of Tuscaloosa County, Alabama," etc.)

And finds same correctly enrolled.

RANKIN FITE
Chairman

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Mr. Hawkins:

H.R. 19. WHEREAS, the Youth Legislature has scheduled a meeting in Montgomery for March 31st, April 1st and April 2nd, 1955, and

WHEREAS, it is the wish of the House of Representatives to encourage this worthwhile undertaking;

NOW, THEREFORE, BE IT RESOLVED By the House of Representatives that the House Chamber be made available to the Youth Legislature on night of March 31st, and April 1st and April 2nd, 1955.

On motion of Mr. Hawkins the rules were suspended and H.R. 19 was adopted.

BILLS ON SECOND READING

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 77. To authorize the governing body of Pickens County, Alabama, to call an election in said county for the purpose of determining whether or not the said governing body of Pickens County may levy an additional privilege or license and excise and sales tax equalling one-half of one cent or one-sixth of and otherwise paralleling, with like provisions in Pickens County, such State taxes as are levied by the State of Alabama by Sections 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama and the amendments thereto, except that only one-sixth of the state levy may be levied by said county and providing for the collection thereof and also providing that the revenues arising from any levy made by said governing body of said county under authority of this act shall be used for the hospitals in said county, for their repair, operation and maintenance, which hospitals are owned and operated by the Pickens County Hospital Association, and for such other and additional health purposes as the governing body of said county may deem meet and proper in said county.

H. 78. To authorize and empower the county governing body in any County of this State, having a population of not less than 94,000 and not more than 134,000, according to the last or any subsequent Federal Decennial Census, to employ one or more Probation officers, to work with Courts in such Counties having jurisdiction of juvenile offenders, and to authorize the payment of the salary and expenses of such Probation officer, and to authorize and empower municipalities in such Counties to join with such Counties in the payment of the salaries and expenses of such Probation officer.

S. 2. To extend, alter, rearrange and describe the boundary lines and corporate limits of the City of Alexander City, Tallapoosa County, Alabama.

S. 5. Relating to Macon County; amending Section 10 of Act No. 334, H. 826, enacted September 12, 1939 (Local Acts of 1939, p. 225), the Act which created and established the Board of Revenue.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Windle (With Notice and Proof):

H. 79. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of the Town of Reform in Pickens County, Alabama.

Notice and Proof H. 79.

Local Legislation No. 1.

Notice of intention to introduce local act to Alter, Rearrange and Extend The Boundary Lines And Corporate Limits of The Municipality Of The Town Of Reform In Pickens County, Alabama.

STATE OF ALABAMA,
PICKENS COUNTY.

Notice is hereby given that at the next session of the Legislature, special or general, to be held for the State of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the municipality of the Town of Reform in Pickens County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALABAMA:

Section 1. The boundary lines and corporate limits of the Town of Reform in Pickens County, Alabama, are hereby altered, rearranged and extended so that all of the lands described herein will lie and be within the boundaries and corporate limits of such municipality:

The S1/2 of S1/2 of Section 16, Township 19, South, Range 14, West; the S1/2 of S1/2 of Section 17, Township 19, South, Range 14, West; the S1/2 of SE1/4 and SE1/4 of SW1/4 of Section 18, the E1/2 and E1/2 of W1/2 of Section 19, Township 19, South, Range 14, west; all of Section 20, Township 19, South, Range 14, West; all of section 21, Township 19, South, Range 14, West, lying west of Lubbub Creek; also all of Section 28, Township 19, South Range 14, West, lying west of Lubbub Creek; also all of Section 29, Township 19, South, Range 14, West; also the E1/2 and E1/2 of W1/2 of Section 30, Township 19, South, Range 14, West; also the E1/2 of NW1/4, and NE1/4, and NE1/4 of SW1/4, and N1/2 of SE1/4 of Section 31, Township 19, South, Range 14, West, and N1/2 and N1/2 of S1/2 of Section 32, Township 19, South, Range 14, West and all of the N1/2 of Section 33 lying west of Lubbub Creek and also all of the N1/2 of the S1/2 of Section 33, Township 19, South, Range 14, West, lying west of Lubbub Creek.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

2-24-4tc

PROOF OF PUBLICATION

THE STATE OF ALABAMA,
PICKENS COUNTY.

Before me, Frances Davis, a Notary Public in and for said County, personally appeared J. G. Pratt, Publisher of The Pickens County Herald

& West Alabamian, a newspaper published in said County, who, being by me first duly sworn, states that the attached notice has been regularly published once a week for 4 consecutive weeks in said paper in issues dated as follows:

Feb. 24, 1955; March 3, 1955; March 10, 1955; March 17, 1955.

J. G. PRATT

Subscribed and sworn to before me, this the 17 day of March, 1955.

FRANCES DAVIS,
Notary Public

By Messrs. Stokes, Martin, Kendall, Simon, Oakley, Murphy, Tyson, Branyon, Nice, Meeks, Fite, Davis, Selman, Shumate, Hawkins, Molette, deGraffenried, Faulk, Adams, Hardy, Solomon, Thomas, Brassell, Cornett, Edwards, (Escambia), Brannan, Stembridge and Steagall:

H. 80. To fix the salary of the director of the Legislative Reference Service.

Ways and Means:

BILLS ON THIRD READING

H. 61. To apply in all counties having a population of not less than 47,500 nor more than 52,500, according to the last or any subsequent federal decennial census; providing for the appointment of a deputy clerk of the circuit court of such counties; prescribing the duties, powers, and authority of such deputy, fixing his compensation and designating the method of payment and the fund from which such compensation shall be paid.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Faulk	Killough	Oden
Adams	Ferrell	Kirkham	Payne
Albea	Franklin	Lackey	Perry
Ashworth	Gist	Law	Pruitt
Bagley	Gregory	Lee (Barbour)	Ramey
Boyd	Grouby	Lee (Lawrence)	Reynolds
Bradford	Hain	Locke (Choctaw)	Roberts
Brannan	Haltom	Locke (Perry)	Selman
Branyon	Hanby	Love	Shumate
Brassell	Hardy	McClendon	Simon
Brewer	Hare	McKay	Solomon
Broadfoot	Harvey	McNider	Speaks
Brooks	Hawkins	Martin	Steagall
Brown (Lamar)	Hodges	Mathews	Stembridge
Brown (Lee)	Holliman	Mathison	Stokes
Burkhalter	Hunt	Meeks	Taylor
Callahan	Jenkins	Molette	Thomas
Cornett	Johnson (Elmore)	Murphy	Tyson
Cox	Johnson (Tallapoosa)	Nettles	Vacca
deGraffenried	Kelly	Nice	Windle
DeSear	Kendall	Oakley	Wood
Edwards (Escambia)			

And the bill:

H. 62. To apply in all counties having a population of not less than 47,500 nor more than 52,500, according to the last or any subsequent federal decennial census; regulating further the office of county solicitor in such counties; imposing extra, new, and additional duties upon such officer, and providing further for his compensation.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Kendall	Oakley
Adams	Faulk	Killough	Oden
Albea	Ferrell	Kirkham	Payne
Ashworth	Franklin	Lackey	Pruitt
Bagley	Gist	Law	Ramey
Boyd	Gregory	Lee (Barbour)	Reynolds
Bradford	Grouby	Lee (Lawrence)	Roberts
Brannan	Hain	Locke (Choctaw)	Selman
Branyon	Haltom	Locke (Perry)	Shumate
Brassell	Hanby	Love	Simon
Brewer	Hardy	McClendon	Solomon
Broadfoot	Hare	McKay	Speaks
Brooks	Harvey	McNider	Steagall
Brown (Lamar)	Hawkins	Martin	Stembridge
Brown (Lee)	Hodges	Mathews	Stokes
Burkhalter	Holliman	Mathison	Taylor
Callahan	Hunt	Meeks	Thomas
Cornett	Jenkins	Molette	Tyson
Cox	Johnson (Elmore)	Murphy	Vacca
deGraffenried	Johnson (Tallapoosa)	Nettles	Windle
DeSear	Kelly	Nice	Wood

—84

And the bill:

H. 69. Relating to the compensation of judges of the circuit court of counties having a population of not less than 225,000 inhabitants nor more than 400,000 inhabitants, according to the last or any subsequent decennial federal census, who are commissioned supernumerary circuit judges of this State; providing for a county supplement to the salaries paid such judges by the State.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Branyon	Callahan	Franklin
Adams	Brassell	Cornett	Gist
Albea	Brewer	Cox	Gregory
Ashworth	Broadfoot	deGraffenried	Grouby
Bagley	Brooks	DeSear	Hain
Boyd	Brown (Lamar)	Edwards (Escambia)	Haltom
Bradford	Brown (Lee)	Faulk	Hanby
Brannan	Burkhalter	Ferrell	Hardy

Hare	Law	Molette	Shumate
Harvey	Lee (Barbour)	Murphy	Simon
Hawkins	Lee (Lawrence)	Nettles	Solomon
Hodges	Locke (Choctaw)	Nice	Speaks
Holliman	Locke (Perry)	Nolen	Steagall
Hunt	Love	Oakley	Stembridge
Jenkins	McClendon	Oden	Stokes
Johnson (Elmore)	McKay	Payne	Taylor
Johnson (Tallapoosa)	McNider	Pruitt	Thomas
Kelly	Martin	Ramey	Tyson
Kendall	Mathews	Reynolds	Vacca
Killough	Mathison	Roberts	Windle
Kirkham	Meeks	Selman	Wood
Lackey			

—85

And the bill:

H. 70. Relating to counties having a population of not less than 94,000 people, nor more than 134,000 people, according to the last Federal Decennial Census, or any subsequent Federal Decennial Census; requiring the Court of County Commissioners, Board of Revenue, or like governing bodies of said counties to cover, or cause to be covered certain employees of said counties, or any agency or instrumentality thereof, including the employees of elected officials, under the Workmen's Compensation Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Faulk	Killough	Oakley
Adams	Ferrell	Kirkham	Oden
Albea	Franklin	Lackey	Payne
Ashworth	Gist	Law	Pruitt
Bagley	Gregory	Lee (Barbour)	Ramey
Boyd	Grouby	Lee (Lawrence)	Reynolds
Bradford	Hain	Locke (Choctaw)	Roberts
Brannan	Haltom	Locke (Perry)	Selman
Branyon	Hanby	Love	Shumate
Brassell	Hardy	McClendon	Simon
Brewer	Hare	McKay	Solomon
Broadfoot	Harvey	McNider	Speaks
Brooks	Hawkins	Martin	Steagall
Brown (Lamar)	Hodges	Mathews	Stembridge
Brown (Lee)	Holliman	Mathison	Stokes
Burkhalter	Hunt	Meeks	Taylor
Callahan	Jenkins	Molette	Thomas
Cornett	Johnson (Elmore)	Murphy	Tyson
Cox	Johnson (Tallapoosa)	Nettles	Vacca
deGraffenried	Kelly	Nice	Windle
DeSear	Kendall	Nolen	Wood
Edwards (Escambia)			

—85

And the bill:

H. 39. Relating to Marion County; levying a county privilege license tax on electric and hydro-electric public utilities, providing for the

collection and enforcement of such tax and for the distribution and use of the proceeds thereof.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Faulk	Killough	Oakley
Adams	Ferrell	Kirkham	Oden
Albea	Franklin	Lackey	Payne
Ashworth	Gist	Law	Pruitt
Bagley	Gregory	Lee (Barbour)	Ramey
Boyd	Grouby	Lee (Lawrence)	Reynolds
Bradford	Hain	Locke (Choctaw)	Roberts
Brannan	Haltom	Locke (Perry)	Selman
Branyon	Hanby	Love	Shumate
Brassell	Hardy	McClendon	Simon
Brewer	Hare	McKay	Solomon
Broadfoot	Harvey	McNider	Speaks
Brooks	Hawkins	Martin	Steagall
Brown (Lamar)	Hodges	Mathews	Stembridge
Brown (Lee)	Holliman	Mathison	Stokes
Burkhalter	Hunt	Meeks	Taylor
Callahan	Jenkins	Molette	Thomas
Cornett	Johnson (Elmore)	Murphy	Tyson
Cox	Johnson (Tallapoosa)	Nettles	Vacca
deGraffenried	Kelly	Nice	Windle
DeSear	Kendall	Nolen	Wood
Edwards (Escambia)			

—85

And the bill:

H. 21. To amend Section 27, Title 10, Code of Alabama (1940). which relates to corporations.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dawkins	Hare	Lackey
Adams	deGraffenried	Harrison	Law
Albea	Dement	Harvey	Lee (Barbour)
Ashworth	DeSear	Hawkins	Lee (Lawrence)
Boyd	Edwards (Escambia)	Hodges	Locke (Choctaw)
Bradford	Faulk	Holliman	Locke (Perry)
Brannan	Ferrell	Huddleston	McClendon
Branyon	Franklin	Hunt	McKay
Brassell	Gist	Jenkins	McNider
Brewer	Goodwyn	Johnson (Elmore)	Martin
Broadfoot	Gregory	Johnson (Tallapoosa)	Mathews
Brooks	Grouby	Kaul	Mathison
Brown (Lamar)	Hain	Kelly	Meeks
Burkhalter	Haltom	Kendall	Molette
Callahan	Hanby	Killough	Murphy
Cornett	Hardy	Kirkham	Nettles

Nice	Pruitt	Simon	Thomas
Nolen	Ramey	Speaks	Tyson
Oakley	Reynolds	Steagall	Vacca
Oden	Richardson	Stembridge	Ward
Payne	Roberts	Stokes	Windle
Perry	Selman	Taylor	Wood
Pirkle	Shumate		

—90

And the bill:

H. 56. (with amendment): Relating to judicial procedure; making exceptions to rulings of the court unnecessary and prescribing the manner of requesting and of objecting to such rulings.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

JUDICIARY COMMITTEE AMENDMENT TO H.B. NO. 56

Amend Section 1 of H.B. No. 56 by adding after the words "Exceptions to rulings", the following: "or any order or orders".

And the amendment was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Elmore)	Oden
Adams	Edwards (Escambia)	Johnson (Tallahpoosa)	Payne
Albea	Faulk	Kaul	Perry
Ashworth	Ferrell	Kelly	Pirkle
Bagley	Franklin	Kendall	Pruitt
Boyd	Gist	Killough	Ramey
Bradford	Goodwyn	Kirkham	Reynolds
Brannan	Gregory	Lackey	Richardson
Branyon	Grouby	Lee (Barbour)	Rodgers
Brussell	Hain	Lee (Lawrence)	Selman
Brewer	Hall	Locke (Choctaw)	Shumate
Broadfoot	Haltom	Locke (Perry)	Simon
Brooks	Hanby	McClendon	Speaks
Brown (Lamar)	Hardy	McKay	Steagall
Brown (Lee)	Hare	McNider	Stembridge
Burkhalter	Harrison	Mathews	Stokes
Cornett	Harvey	Mathison	Taylor
Cox	Hawkins	Meeks	Thomas
Davis	Hodges	Molette	Tyson
Dawkins	Holliman	Murphy	Vacca
deGraffenried	Huddleston	Nettles	Ward
Dement	Hunt	Nice	Windle
DeSear	Jenkins	Nolen	

—91

And said bill, H. 56, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	DeSear	Johnson ^(Elmore)	Oden
Adams	Dickson	Johnson ^(Tallapoosa)	Perry
Albea	Edwards ^(Escambia)	Kaul	Pirkle
Ashworth	Faulk	Kelly	Pruitt
Bagley	Ferrell	Killough	Ramey
Boyd	Franklin	Kirkham	Reynolds
Bradford	Gist	Law	Richardson
Brannan	Goodwyn	Lee ^(Barbour)	Roberts
Branyon	Gregory	Lee ^(Lawrence)	Selman
Brassell	Grouby	Locke ^(Choctaw)	Shumate
Brewer	Hain	Locke ^(Perry)	Simon
Broadfoot	Hall	McClendon	Speaks
Brooks	Haltom	McNider	Steagall
Brown ^(Lamar)	Hanby	Martin	Stembridge
Brown ^(Lee)	Hardy	Mathews	Stokes
Burkhalter	Hare	Mathison	Taylor
Callahan	Harrison	Meeks	Thomas
Cornett	Harvey	Molette	Tyson
Crook	Hawkins	Murphy	Vacca
Davis	Hodges	Nettles	Ward
Dawkins	Holliman	Nice	Windle
deGraffenried	Huddleston	Nolen	Wood
Dement	Jenkins		

—90

And the bill:

H. 57. To amend further Section 272 of Title 7, Code of Alabama (1940), which relates to the court reporter taking down the charge of the judge in civil and criminal cases.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	deGraffenried	Harvey	McKay
Adams	Dement	Hawkins	McNider
Albea	DeSear	Hodges	Martin
Ashworth	Dickson	Holliman	Mathews
Bagley	Edwards ^(Escambia)	Huddleston	Mathison
Boyd	Faulk	Hunt	Meeks
Bradford	Ferrell	Jenkins	Molette
Brannan	Franklin	Johnson ^(Elmore)	Murphy
Brassell	Gist	Johnson ^(Tallapoosa)	Nettles
Brewer	Goodwyn	Kaul	Nice
Broadfoot	Gregory	Kendall	Nolen
Brooks	Grouby	Killough	Oakley
Brown ^(Lamar)	Hain	Kirkham	Oden
Burkhalter	Hall	Lackey	Payne
Callahan	Haltom	Law	Perry
Cornett	Hanby	Lee ^(Barbour)	Pruitt
Cox	Hardy	Locke ^(Choctaw)	Ramey
Davis	Hare	Locke ^(Perry)	Reynolds
Dawkins	Harrison	McClendon	

Richardson	Solomon	Stokes	Vacca
Selman	Speaks	Taylor	Ward
Shumate	Steagall	Thomas	Windle
Simon	Stembridge	Tyson	Wood

—91

And the bill:

S. 1. To amend Act No. 323, H. 35, approved August 2, 1949, entitled "An Act To provide for a refund of a portion of the State tax paid on gasoline when the gasoline is used in propelling or operating tractors used excuslvely for agricultural purposes; prescribing a procedure for effecting refunds; authorizing the Commissioner of Revenue to issue permits and make rules and regulations to administer the Act; defining violations of the Act and prescribing penalties therefor" (1949 Acts 469).

Was taken up.

Messrs. Murphy, Simon, Tyson, Dawkins, Goodwyn, Nolen and Hawkins offered the following substitute for the bill, S. 1:
Substitute for S. 1.

**A BILL
TO BE ENTITLED
AN ACT**

To amend Act No. 323, H. 35, approved August 2, 1949, which provides for a refund of a portion of the state tax paid on gasoline used to propel tractors (1949 Acts 469).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The title to Act No. 323, H. 35, approved August 2, 1949, which Act provides for a refund of a portion of the state tax paid on gasoline used to propel tractors, is amended to read as follows:

"An Act to provide for a refund of a portion of the state tax paid on gasoline when the gasoline is used for certain non-highway purposes prescribing a procedure for effecting refunds; authorizing the Commissioner of Revenue to issue permits and make rules and regulations to administer the Act; defining violations of the Act and prescribing penalties therefor."

Section 2. Section 3 of said Act No. 323, H. 35, approved August 2, 1949, is amended to read as follows:

"Subject to the conditions set forth in this Act, a person who purchases gasoline (as defined in Section 646 of Title 51 of the 1940 Code, as amended) in quantities of fifty gallons or more at any one time, for use in operating or propelling tractors used exclusively for agricultural purposes, or for use in operating or propelling commercial fishing boats, is entitled to a refund of six cents of the state excise tax paid on each gallon of gasoline so purchased and used. A right to receive a tax refund is not assignable."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 54; Nays 35.

Yeas:

Mr. Speaker	Edwards (Escambia)	Kaul	Oden
Adams	Faulk	Kelly	Perry
Bagley	Ferrell	Kendall	Pirkle
Bradford	Goodwyn	Lackey	Selman
Brannan	Gregory	Lee (Barbour)	Shumate
Brassell	Hain	Lee (Lawrence)	Simon
Broadfoot	Hall	Locke (Choctaw)	Solomon
Brown (Lee)	Haltom	Locke (Perry)	Steagall
Burkhalter	Hardy	Mathews	Stembridge
Callahan	Hare	Mathison	Stokes
Cornett	Hawkins	Murphy	Thomas
Davis	Huddleston	Nice	Tyson
Dawkins	Johnson (Elmore)	Nolen	Ward
deGraffenried	Johnson (Tallapoosa)		

—54

Nays:

Messrs:	Cox	Jenkins	Oakley
Albea	Dement	Killough	Payne
Ashworth	Dickson	Law	Pruitt
Bassett	Franklin	McClendon	Ramey
Boyd	Gist	McKay	Richardson
Branyon	Grouby	McNider	Speaks
Brewer	Harvey	Martin	Taylor
Brooks	Holliman	Molette	Windle
Brown (Lamar)	Hunt	Nettles	Wood

—35

And said bill, S. 1, as thus amended, was read a third time at length and passed.

Yeas 86; Nays 7.

Yeas:

Mr. Speaker	Dement	Hunt	Oden
Adams	DeSear	Johnson (Elmore)	Payne
Albea	Dickson	Johnson (Tallapoosa)	Perry
Ashworth	Edwards (Escambia)	Kaul	Pirkle
Bagley	Faulk	Kelly	Pruitt
Bassett	Ferrell	Kendall	Roberts
Boyd	Franklin	Killough	Selman
Bradford	Gist	Lackey	Shumate
Brannan	Goodwyn	Law	Simon
Branyon	Gregory	Lee (Barbour)	Solomon
Brassell	Grouby	Lee (Lawrence)	Speaks
Brewer	Hain	Locke (Choctaw)	Steagall
Broadfoot	Hall	Locke (Perry)	Stembridge
Brooks	Haltom	McKay	Stokes
Brown (Lamar)	Hanby	McNider	Summerlin
Brown (Lee)	Hardy	Martin	Taylor
Burkhalter	Hare	Mathews	Thomas
Callahan	Harrison	Mathison	Tyson
Cornett	Hawkins	Murphy	Vacca
Davis	Hodges	Nice	Ward
Dawkins	Holliman	Nolen	Wood
deGraffenried	Huddleston	Oakley	

—86

Nays:

Messrs:	Holliman	Kirkham	Nettles
Cox	Jenkins	Molette	Windle

—7

And the bill:

H. 36. (with substitute): To regulate the sale of eggs in Alabama by requiring accurate labeling of containers in which eggs are sold; to require accurate labeling of such egg containers with respect to the grade and weight classes of eggs contained therein and to authorize the State Board of Agriculture and Industries to establish reasonable standards, grades of quality and weight classes for the sale of eggs; to levy and collect an inspection fee upon the sale of eggs and to require egg dealers to obtain a permit from the Commissioner of Agriculture and Industries before engaging in the sale of eggs; to make an appropriation to defray costs and expenses incident to the administration and enforcement of this Act; to authorize the adoption of rules and regulations for the execution of this Act and to provide exemptions of the sale of eggs from this Act; prescribe a penalty for violations together with other administrative and enforcement provisions; to repeal Article 15 of Title 2, Code of Alabama of 1940.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Agriculture, said committee substitute being as follows:

Substitute for H. 36.

**A BILL
TO BE ENTITLED
AN ACT**

To regulate the sale of eggs in Alabama by requiring accurate labeling of containers in which eggs are sold; to require accurate labeling of such egg containers with respect to the grade and weight classes of eggs contained therein and to authorize the State Board of Agriculture and Industries to establish reasonable standards, grades of quality and weight classes for the sale of eggs; to levy and collect an inspection fee upon the sale of eggs and to require egg dealers to obtain a permit from the Commissioner of Agriculture and Industries before engaging in the sale of eggs; to make an appropriation to defray costs and expenses incident to the administration and enforcement of this Act; to authorize the adoption of rules and regulations for the execution of this Act and to provide exemptions of the sale of eggs from this Act; prescribe a penalty for violations together with other administrative and enforcement provisions; to repeal Article 15 of Title 2, Code of Alabama of 1940.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. DEFINITION OF TERMS. For the purpose of this Act the following words and phrases shall have the meaning indicated, unless the context clearly indicates a different meaning: (a) "Dealer" shall mean any person selling or offering for sale in this State more than sixty dozen eggs in any one week during a fiscal year. (b) "Person" shall mean any individual, firm, partnership, corporation or association. (c) "Eggs" shall mean the eggs of a domesticated chicken hen, which

eggs are in the shell. (d) "Alabama eggs" means eggs which are produced in the State of Alabama. (e) "Grade" shall mean the quality of eggs to be determined by candling pursuant to standards or classifications for quality which are adopted and promulgated under Section 3 of this Act. (f) "Weight Class" shall mean the size of eggs to be determined by weighing pursuant to standards or classifications for size which are adopted and promulgated under Section 3 of this Act.

Section 2. SALE REQUIREMENTS. It shall be unlawful:

(a) for any dealer to offer for sale or sell any case of eggs, or partial case of eggs, without clearly imprinting thereon, or securely attaching thereto, a label on which there shall be plainly and legibly printed the name and address of the packer of said eggs, the grade and weight class to which the eggs contained therein conform, the date on which the eggs were graded and the label together with the printed matter required to appear thereon shall be of a size to be prescribed by regulations adopted by the State Board of Agriculture and Industries.

(b) For any dealer to offer for sale or sell eggs in any carton or other type of package without clearly designating thereon the name and address of the packers, or person responsible for such packing, the grade and weight class to which the eggs contained therein conform, together with the date on which the eggs were graded. Grade and weight class designations required on cartons or other packages shall be in letters of a size to be prescribed by regulations adopted by the State Board of Agriculture and Industries.

(c) For any dealer to offer for sale or sell eggs in bulk (not in cases, cartons, packages or other containers) from any open case, box, basket, crate or other receptacle holding such eggs in bulk without displaying conspicuously on every such receptacle a placard or heavy cardboard not smaller than seven inches by seven inches in size on which there shall be legibly and plainly printed the grade and weight class to which the eggs contained therein conform in letters not smaller than one inch in height.

(d) For any dealer or other person to offer eggs for sale by means of any newspaper advertisement, circular, window displays, radio, television, or other form of advertising, when the price of eggs offered for sale is designated without plainly designating in such advertisements the grade and weight class to which the eggs, so advertised and offered for sale, conform.

(e) For any dealer or other person to use the term "Alabama" in connection with the advertisement and sale of eggs not produced in this State.

(f) For any dealer or other person to use the word, or words, "fresh," "strictly fresh," "henery eggs," "country," "locally produced," "day-old," "select," "guaranteed," "Certified," or any other similar descriptive terms in connection with the advertising or sale of any eggs, unless such eggs meet the standard minimum requirements for consumer Grade A eggs or consumer Grade AA eggs as such grades are prescribed under the provision of this Act.

(g) For any dealer or other person to sell or offer for sale eggs not fit for human food as such eggs are defined under grades and standards established by the State Board of Agriculture and Industries under

(h) For any dealer to sell or offer for sale eggs unless the grade the provisions of this Act.

and weight class designation stated on the label, placard, sign, or advertisement correctly states the grade and weight class to which the eggs conform.

(i) For any dealer to sell or offer for sale eggs unless such dealer has a permit as required under Section 6 of this Act.

(j) For any dealer to sell or offer for sale eggs in violation of any rule or regulation adopted and promulgated under the provisions of this Act.

Section 3. GRADES, STANDARDS AND WEIGHT CLASSES. To provide for uniformity in the marketing of eggs, the Commissioner of Agriculture and Industries, with the approval of the State Board of Agriculture and Industries, shall adopt and promulgate, from time to time, reasonable classifications or standards for grades of quality and weight classifications or standards for the size of eggs to be sold or offered for sale in this State, and such grades and weight classes shall, so far as practicable, be consistent with the standards and classifications for grades and weight classes of the United States Department of Agriculture and the tolerances allowed thereunder, as such standards, grades and weight classes are now established or may hereafter be amended. Eggs unfit for human consumption may also be defined by the State Board of Agriculture and Industries.

Section 4. EGG INSPECTION FEE. An inspection fee at a rate of 4c on each 30 dozen cases of eggs, or its equivalent, is imposed upon eggs sold or offered for sale by dealers and such fee shall be paid by the dealer first selling or offering eggs for sale. The inspection fee levied hereunder shall be paid by the dealer first selling eggs or offering eggs for sale and such inspection fee shall be paid but once on the same quantity of eggs so long as such eggs remain in their original case, carton or package. The inspection fee levied hereunder shall be deposited in the State Treasury to the credit of a special account or fund which shall be designated as the "Egg Inspection Fund," and all amounts deposited therein shall be used and expended for the payment of salaries, equipment, purchases, and other expenses incident to the administration and enforcement of the provisions of this Act and such amounts are hereby appropriated for this purpose. Expenditures as authorized hereunder shall be subject to the provisions of Title 55, Chapter 4, Article 3, Code of Alabama of 1940. The method and manner of collecting the inspection fee levied hereunder by the use of stamps, monthly reporting and collecting from dealers or any other uniform method shall be prescribed by the Commissioner of Agriculture and Industries with the approval of the State Board of Agriculture and Industries, pursuant to rules and regulations adopted for this purpose as authorized under the provisions of this Act.

Section 5. APPROPRIATIONS. For the payment of salaries, equipment purchases and other expenses necessary and incident to the administration and enforcement of the provisions of this Act there is hereby appropriated from any monies in the State Treasury not otherwise appropriated the sum of \$50,000.00 for use during the fiscal year ending September 30, 1955, and an amount equal to the unexpended balance of this amount, if any, which is on hand at the end of such fiscal year is hereby appropriated for the same use during the fiscal year ending September 30, 1956.

Section 6. PERMIT. Every dealer who sells or offers for sale in this State, eggs in quantities of more than 60 dozen, in any one week shall obtain from the Commissioner of Agriculture and Industries

an annual permit authorizing the sale or offering for sale of eggs which shall be issued free of any cost or charge to the dealer. The permit required hereunder shall expire on September 30 of each year and shall be renewable on or before October 1 of each year. The first permits issued hereunder following the passage and approval of this Act shall not expire until September 30, 1956. The permit required herein shall be subject to revocation by the Commissioner of Agriculture and Industries, if the Commissioner finds that the holder thereof is not complying with any of the requirements of this Act, including rules and regulations adopted hereunder. In such case the dealer shall be afforded an opportunity for hearing after at least fifteen days notice. The notice shall state the time and place of the hearing and the reasons for the proposed revocation. The Commissioner shall prepare, or cause to be prepared an official record, which shall include testimony and exhibits, but it shall not be necessary to transcribe shorthand notes unless requested for purposes of court review. The dealer shall have the right of cross-examination of witnesses who testify, and shall have the right to submit rebuttal evidence. Documentary evidence may be received in the form of copies or excerpts, or by incorporation in the record by reference. The decision in such a case shall be in writing or stated in the record, and shall be accompanied by findings of fact and conclusions of law. The findings of fact shall consist of a concise statement of the Commissioner's conclusions upon each issue of fact contested. A copy of the decision and order and accompanying findings and conclusions shall be delivered to the dealer in person or by registered mail.

Any dealer may appeal the Commissioner's decision or order to the Circuit Court of the county in which he resides or in which his principal place of business is located, by filing a petition with the register of such court within thirty days after the service of notice of the decision. A copy of the petition shall be served on the Commissioner, in person or by registered mail. The filing of the petition shall stay enforcement of the Commissioner's decision, unless the court shall order otherwise. The Commissioner shall transmit the record in the case to the court within thirty days after the service of the petition. The review by the court shall be confined to the record. The court may affirm the decision or remand the case for further proceedings; or it may reverse or modify the decision if it was affected by any error of law or was unsupported by substantial evidence, or was arbitrary or capricious.

Section 7. SALES BETWEEN DEALERS. A dealer who is a holder of a permit issued under the provisions of this Act may sell or consign eggs to another dealer who holds such a permit without complying with the labeling requirements of this Act, and such sales must be accompanied by a proper Bill of Sale, or Invoice, and, provided further, that the dealer to whom such eggs are sold or consigned shall immediately, upon receipt of the eggs and prior to selling or offering them for sale, comply with all of the requirements of this Act

Section 8. EXEMPTIONS. The provisions of this Act shall not apply to: (a) producers who sell eggs of their own hens' production and who do not sell eggs receive or purchased from other sources, unless such producer elects to come under the Act by applying for and securing a permit as provided in Section 6; (b) those who buy and sell eggs to be used exclusively for hatching purposes; (c) bona fide shipments of eggs in interstate commerce; (d) any retail merchant who sells no more than 60 dozen eggs in any one week at retail.

Section 9. The Commissioner of Agriculture and Industries, with

the approval of the State Board of Agriculture and Industries, under rules and regulations adopted for this purpose, shall be authorized to require any dealer granted a permit under this Act to furnish to the Department of Agriculture and Industries duplicate copies of invoices or equivalent information showing the consignor, consignee, quantity, source, standard or grades of quality and weight classes of eggs included in any purchase thereof. Provided that nothing herein contained shall be construed to require the filing of the copy of an invoice of sale to a consumer.

Section 10. RULES AND REGULATIONS. The Commissioner of Agriculture and Industries is charged with the administration and enforcement of this Act and in order to execute the provisions thereof he is authorized and empowered, with the approval of the State Board of Agriculture and Industries, to promulgate reasonable rules and regulations to carry out the provisions of this Act.

Section 11. SUSPENSION FROM SALE AND SEIZURE. Any eggs sold or offered for sale within this State, or any eggs which are being transported within this State, which are in violation of any of the provisions of this Act shall be subject to suspension from sale, seizure and condemnation in accordance with the provisions of Title 2, Article 33, Section 494-503, Code of Alabama of 1940.

Section 12. INSPECTION AND INVESTIGATION. The Commissioner of Agriculture and Industries, authorized inspectors, employees and agents of the Department of Agriculture and Industries shall have power and authority during business hours to enter any store, market or other building or place where eggs are sold or offered for sale or kept for sale in this State, or to stop and inspect any truck or other vehicle transporting eggs to be sold or offered for sale in this State, and make such examination or inspection as may be necessary to determine whether any of the provisions of this Act or rule and regulation adopted hereunder relating to the sale of eggs are being violated.

Section 13. PENALTY. Any person who shall violate any of the provisions of this Act which are declared to be unlawful or who fails to perform any duty or requirements imposed by the provisions of this Act relating to the sale or offering for sale of eggs, or who violates any rule or regulation duly promulgated hereunder shall be guilty of a misdemeanor and punished as now prescribed by law for such offenses.

Section 14. In addition to the penalty provided in this Act and notwithstanding the existence of any adequate remedy at law, the Commissioner of Agriculture and Industries may apply by a bill in equity to a circuit court or court of like jurisdiction and such court, or the Judge thereof, shall have jurisdiction and for cause shown to grant a temporary or permanent injunction, or both, restraining any person from violating or continuing to violate any of the provisions of this Act or from failing or refusing to comply with the provisions of this Act or any rules or regulations duly promulgated under the provisions of this Act. Such injunction shall be issued without bond.

Section 15. SEPARABILITY. If any of the provisions of this Act or the application thereof to any person or circumstance is declared invalid or unconstitutional, such declaration shall not affect other provisions or applications of the Act to the part that remains.

Section 16. LAWS REPEALED. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed. Title 2,

Article 15, (Sections 274-281) of the Code of Alabama of 1940, is hereby expressly repealed.

Section 17. **EFFECTIVE DATE.** This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

And the substitute was adopted.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Edwards ^(Escambia)	Kelly	Oden
Adams	Faulk	Kendall	Payne
Albea	Ferrell	Killough	Perry
Ashworth	Franklin	Kirkham	Pirkle
Bagley	Gist	Lackey	Pruitt
Bassett	Goodwyn	Law	Ramey
Boyd	Gregory	Lee ^(Barbour)	Reynolds
Bradford	Grouby	Lee ^(Lawrence)	Roberts
Brannan	Hain	Locke ^(Choctaw)	Selman
Branyon	Hall	Locke ^(Perry)	Shumate
Brassell	Haltom	Love	Simon
Brewer	Hanby	McClendon	Solomon
Broadfoot	Hardy	McKay	Speaks
Brooks	Hare	McNider	Steagall
Brown ^(Lamar)	Harrison	Martin	Stembridge
Brown ^(Lee)	Harvey	Mathews	Stokes
Burkhalter	Hawkins	Mathison	Summerlin
Callahan	Hodges	Meeks	Taylor
Cornett	Holliman	Molette	Thomas
Davis	Huddleston	Murphy	Tyson
Dawkins	Hunt	Nettles	Vacca
deGraffenried	Jenkins	Nice	Ward
Dement	Johnson ^(Elmore)	Nolen	Windle
DeSear	Johnson ^(Tallapoosa)	Oakley	Wood
Dickson	Kaul		

—98

And said bill, H. 36, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Brown ^(Lamar)	Franklin	Hodges
Adams	Brown ^(Lee)	Gist	Holliman
Albea	Burkhalter	Goodwyn	Huddleston
Ashworth	Callahan	Gregory	Hunt
Bagley	Cornett	Grouby	Jenkins
Bassett	Davis	Hain	Johnson ^(Elmore)
Boyd	Dawkins	Hall	Johnson ^(Tallapoosa)
Bradford	deGraffenried	Haltom	Kaul
Brannan	Dement	Hanby	Kendall
Branyon	DeSear	Hardy	Killough
Brassell	Dickson	Hare	Kirkham
Brewer	Edwards ^(Escambia)	Harrison	Lackey
Broadfoot	Faulk	Harvey	Law
Brooks	Ferrell	Hawkins	Lee ^(Barbour)

Lee (Lawrence)	Murphy	Ramey	Stembridge
Locke (Choctaw)	Nettles	Reynolds	Stokes
Locke (Perry)	Nice	Richardson	Summerlin
Love	Nolen	Roberts	Taylor
McClendon	Oakley	Selman	Thomas
McKay	Oden	Shumate	Tyson
McNider	Payne	Simon	Vacca
Martin	Perry	Solomon	Ward
Mathews	Pirkle	Speaks	Windle
Mathison	Pruitt	Steagall	Wood
Molette			

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RESOLUTION

The following resolution was introduced:

By Mr. Hawkins:

H.J.R. 20. BE IT RESOLVED by the House of Representatives, the Senate concurring, that when the two Houses adjourn today they adjourn to meet again on Friday, March 25, 1955.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 20 was adopted.

APPOINTMENT OF COMMITTEE

Pursuant to the provisions of H.J.R. 8, the Speaker announced the appointment of the Committee on the part of the House as follows: Messrs. Callahan (Chairman), Ashworth, Harrison, Hodges, Ferrell and Bagley.

JOINT SESSION

The hour of twelve o'clock, noon, having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the Hall of the House of Representatives, in accordance with Senate Joint Resolution No. 3 heretofore adopted, for the purpose of hearing an address by Honorable Herman Talmadge, former Governor of the State of Georgia.

The joint session was called to order by Honorable W. Guy Hardwick, Lieutenant Governor and Presiding Officer of the Senate. nounced that the purpose of the joint session having been accomplished the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

CERTIFICATE OF CLERK

The Lieutenant Governor and Presiding Officer of the Senate an-
To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolution hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:15 P.M. On Mar. 22, 1955:

H. J. R. 8.

H. 1.

H. 4.

H. 7.

H. 8.

H. 9.

H. 10.

H. 11.

H. 13.

H. 14.

H. 16.

H. 19.

H. 12.

H. 20.

H. 23.

H. 26.

H. 27.

H. 28.

R. T. GOODWYN, JR.
Clerk

ADJOURNMENT

On motion of Mr. Dawkins the House adjourned until Friday, March 25, 1955, at ten o'clock A.M.

SEVENTH DAY

House of Representatives
Montgomery, Alabama
Friday, March 25, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend M. L. Sexton, Minister, Highland Church of Christ, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Cornett	Grouby	Jenkins
Adams	Cox	Hain	Johnson (Elmore)
Albea	Dawkins	Hall	Johnson (Tallapoosa)
Ashworth	deGraffenried	Haltom	Kaul
Bagley	Dement	Hanby	Kelly
Bassett	DeSear	Hardy	Kendall
Boyd	Dickson	Hare	Killough
Bradford	Edwards (Escambia)	Harvey	Kirkham
Branyon	Ferrell	Harrison	Lackey
Brassell	Franklin	Hawkins	Law
Brewer	Gilchrist	Hodges	Lee (Barbour)
Broadfoot	Gist	Holliman	Lee (Lawrence)
Brooks	Goodwyn	Huddleston	Locke (Choctaw)
Brown (Lamar)	Gregory	Hunt	Locke (Perry)
Callahan			

Love	Murphy	Ramey	Stembridge
McClendon	Nettles	Reynolds	Stokes
McKay	Nice	Richardson	Summerlin
McLendon	Nolen	Roberts	Taylor
McNider	Oakley	Selman	Thomas
Martin	Oden	Shumate	Tyson
Mathison	Payne	Simon	Vacca
Meeks	Perry	Solomon	Ward
Molette	Pirkle	Speaks	Windle
Money	Pruitt	Steagall	Wood

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the sixth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the sixth legislative day was dispensed with and the report of the Standing Committee on Rules, was concurred in and adopted, and the Journal of the sixth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 51. To make an additional appropriation to the Department of Public Safety for the fiscal year ending September 30, 1955.

Also:

H. 48. To make an additional appropriation to the office of the Attorney General out of any funds in the State Treasury not otherwise appropriated for the fiscal year ending September 30, 1955.

Also:

H. 53. To make an additional appropriation to Social Security for the fiscal year ending September 30, 1955.

Also:

H. 37. To amend further Section 2, Act No. 669, H. 792, approved July 5, 1940, which Act is known as the "Alabama Motor Carrier Act of 1939," (Acts 1939, pp. 1064-1090).

Also:

H. 3. Relating to the Nineteenth Judicial Circuit; authorizing the circuit solicitor to appoint a stenographic secretary, and providing for the payment of such secretary's compensation by the counties composing the circuit.

Also:

H. 49. To make an additional appropriation out of any funds in the State Treasury not otherwise appropriated to the Executive Department for the fiscal year ending September 30, 1955.

Also:

H. 15. Relating to Mobile County: To amend an Act approved June 28, 1940, (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), as amended, entitled "An Act To place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer," to provide for the compensation of the chief deputy sheriff; to provide for the appointment and compensation of an assistant chief deputy sheriff and a chief clerk in the office of the sheriff; and to provide for the official bond of the chief deputy sheriff, assistant chief deputy sheriff, and the chief clerk.

Also:

H. 40. Relating to counties having a population of not less than 29,350 nor more than 30,350 inhabitants: to provide for a clerk in the office of the Clerk of the Circuit Court of such counties; fixing the salary, method and basis of such clerk's employment and compensation; such salary to be paid out of the general funds of such counties. To repeal all laws in conflict herewith, and to provide effective date of such act.

Also:

H. 41. To permit any bank in Colbert County, Alabama, to establish one branch bank, branch agency, additional office, or branch place of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business, subject to the approval of the State Superintendent of Banks of Alabama.

Also:

H. 42. To permit any bank having an office or place of business in any city in Colbert County, Alabama, to establish, maintain and operate, within the limits of such city or the police jurisdiction thereof, a branch or additional office or place of business, with the approval of the Superintendent of Banks of the State of Alabama.

Also:

H. 52. To make an additional appropriation to the Secretary of State for the fiscal year ending September 30, 1955.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S.J.R. 3. Relative to an invitation to the Honorable Herman Talmadge of Georgia to address a joint session of the Legislature.

Also:

S.J.R. 4. Relative to obtaining necessary appropriations to proceed with an approved plan for development of the Alabama-Coosa Rivers from Mobile, Alabama, to Rome, Georgia, and stressing the importance of this development to the people of Alabama.

J. E. SPEIGHT,
Secretary

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles to which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 3. Relating to the Nineteenth Judicial Circuit; authorizing the circuit solicitor to appoint a stenographic secretary, and providing for the payment of such secretary's compensation by the counties composing the circuit.

Also:

H. 15. Relating to Mobile County: To amend an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), as amended, entitled "An Act To place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer;" to provide for the compensation of the chief deputy sheriff; to provide for the appointment and compensation of an assistant chief deputy sheriff and a chief clerk in the office of the sheriff; and to provide for the official bond of the chief deputy sheriff, assistant chief deputy sheriff, and the chief clerk.

Also:

H. 37. To amend further Section 2, Act No. 669, H. 792, approved

July 5, 1940, which Act is known as the "Alabama Motor Carrier Act of 1939," (Acts, 1939, pp. 1064-1090).

Also:

H. 40. Relating to counties having a population of not less than 29,350 nor more than 30,350 inhabitants; to provide for a clerk in the office of the Clerk of the Circuit Court of such counties; fixing the salary, method and basis of such clerk's employment and compensation; such salary to be paid out of the general funds of such counties. To repeal all laws in conflict herewith, and to provide effective date of such act.

Also:

H. 41. To permit any bank in Colbert County, Alabama, to establish one branch bank, branch agency, additional office, or branch place of business, for the receipts of deposits, payment of checks, lending of money, and doing a general banking business, subject to the approval of the State Superintendent of Banks of Alabama.

Also:

H. 42. To permit any bank having an office or place of business in any city in Colbert County, Alabama, to establish, maintain and operate, within the limits of such city or the police jurisdiction thereof, a branch or additional office or place of business, with the approval of the Superintendent of Banks of the State of Alabama.

Also:

H. 48. To make an additional appropriation to the office of the Attorney General out of any funds in the State Treasury not otherwise appropriated for the fiscal year ending September 30, 1955.

Also:

H. 49. To make an additional appropriation out of any funds in the State Treasury not otherwise appropriated to the Executive Department for the fiscal year ending September 30, 1955.

Also:

H. 51. To make an additional appropriation to the Department of Public Safety for the fiscal year ending September 30, 1955.

Also:

H. 52. To make an additional appropriation to the Secretary of State for the fiscal year ending September 30, 1955.

Also:

H. 53. To make an additional appropriation to Social Security for the fiscal year ending September 30, 1955.
And finds same correctly enrolled.

RANKIN FITE,
Chairman

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at

length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

In accordance with the provisions of House Joint Resolution 12, the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Van Antwerp, Jones, Bradford and James.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

In accordance with the provisions of House Joint Resolution 8, the President and Presiding Officer of the Senate has appointed Messrs. Skidmore, Newton and Cooper as Committee on part of the Senate.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 50. To make an additional appropriation to the Department of Civil Defense out of any funds in the State Treasury not otherwise appropriated for the fiscal year ending September 30, 1955.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Hawkins the House concurred in and adopted the Senate amendment to the bill, H. 50, said Senate amendment being as follows:

AMENDMENT OF H. 50

Amend the bill by adding at the end of Section 1 the following:

The appropriation herein made is conditioned upon the condition of the Treasury and approval of the Governor.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Brassell	Ferrell	Hardy
Adams	Brewer	Franklin	Hare
Albea	Broadfoot	Gilchrist	Hawkins
Ashworth	Callahan	Goodwyn	Hodges
Bagley	Cornett	Gregory	Holliman
Bassett	Cox	Grouby	Huddleston
Boyd	Dawkins	Hain	Hunt
Bradford	Dement	Haltom	Jenkins
Branyon	DeSear	Hanby	Johnson (Elmore)

Johnson (Tallapoosa)	Love	Nolen	Simon
Kelly	McClendon	Oakley	Steagall
Killough	McKay	Oden	Stembridge
Kirkham	McLendon	Payne	Taylor
Lackey	McNider	Pirkle	Thomas
Law	Martin	Ramey	Tyson
Lee (Barbour)	Mathison	Reynolds	Vacca
Lee (Lawrence)	Molette	Richardson	Ward
Locke (Choctaw)	Money	Roberts	Wood
Locke (Perry)	Nettles	Selman	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 6. To amend Act No. 323, H. 35, approved August 2, 1949, which provides for a refund of a portion of the state tax paid on gasoline used to propel tractors (1949 Acts 469).

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Simon the House concurred in and adopted the Senate amendment to the bill, H. 6, said Senate amendment being as follows:

Substitute for H. 6.

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 323, H. 35, approved August 2, 1949, which provides for a refund of a portion of the state tax paid on gasoline used to propel tractors (1949 Acts 469).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The title to Act No. 323, H. 35, approved August 2, 1949, which Act provides for a refund of a portion of the state tax paid on gasoline used to propel tractors, is amended to read as follows:

"An Act to provide for a refund of a portion of the state tax paid on gasoline when the gasoline is used for certain non-highway purposes; prescribing a procedure for effecting refunds; authorizing the Commissioner of Revenue to issue permits and make rules and regulations to administer the Act; defining violations of the Act and prescribing penalties therefore."

Section 2. Section 3 of said Act No. 323, H. 35, approved August 2, 1949, is amended to read as follows:

"Subject to the conditions set forth in this Act, a person who purchases gasoline (as defined in Section 646 of Title 51 of the 1940 Code, as amended) in quantities of fifty gallons or more at any one time,

for use in operating or propelling tractors used exclusively for agricultural purposes, or for use in operating or propelling commercial fishing boats, is entitled to a refund of six cents of the state excise tax paid on each gallon of gasoline so purchased and used. A right to receive a tax refund is not assignable."

Section 3. Section 4 of said Act No. 323, H. 35, approved August 2, 1949, is amended to read as follows:

"A person who desires to use refund gasoline shall register the tractor or boat with the tax assessor, who shall issue to the owner a serially-numbered certificate upon which shall be written or printed the owner's name and address, a full description of the tractor or boat, including the rated horsepower, make, model, and year of manufacture, and the location and acreage of the farm upon which the tractor is to be used. Each tractor or boat owned or operated shall be separately registered on forms provided by the State Department of Revenue. Registration shall be under oath. No fee for registration shall be charged."

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Killough	Oden
Albea	Ferrell	Kirkham	Payne
Ashworth	Franklin	Lackey	Perry
Bagley	Gilchrist	Law	Pirkle
Bassett	Goodwyn	Lee (Barbour)	Ramey
Boyd	Gregory	Lee (Lawrence)	Reynolds
Bradford	Grouby	Locke (Choctaw)	Richardson
Branyon	Hain	Locke (Perry)	Roberts
Brassell	Haltom	Love	Selman
Brewer	Hanby	McClendon	Simon
Broadfoot	Hardy	McKay	Speaks
Brooks	Hawkins	McLendon	Steagall
Brown (Lamar)	Hodges	McNider	Stembridge
Callahan	Holliman	Martin	Taylor
Cornett	Huddleston	Mathison	Thomas
Cox	Hunt	Molette	Tyson
Dawkins	Jenkins	Money	Vacca
Dement	Johnson (Elmore)	Murphy	Ward
DeSear	Kaul	Nettles	Wood
Dickson	Kelly	Nolen	

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RESOLUTION

The following resolutions were introduced:

By Mr. Dement:

H.J.R. 21. Resolved by the House of Representatives, the Senate concurring, that there shall be a committee of two members of the

Senate appointed by the President of the Senate and three members of the House appointed by the Speaker to go to Florida to investigate and study the administration of Florida's laws regulating the production, processing and distribution of milk, and to report its findings, conclusions, and recommendations to the Legislature at the next session thereof.

Resolved further, that the traveling expenses and the per diem of the committee members shall be paid out of funds appropriated for use of the Legislature, on requisition signed by the chairman of the committee, who shall be selected by the committee from among their number.

On motion of Mr. Dement the rules were suspended and H.J.R. 21 was adopted.

Also:

By Mr. Dement:

H.J.R. 22. Resolved by the House of Representatives, the Senate concurring, that there shall be a committee of two members of the Senate appointed by the President of the Senate and three members of the House appointed by the Speaker to go to Wisconsin, Illinois, Ohio, Texas and other Western States to investigate and study the administration of their laws relating to irrigation, and to report its findings, conclusions, and recommendations to the Legislature at the next session thereof.

Resolved further, that the traveling expenses and the per diem of the committee members shall be paid out of funds appropriated for the use of the Legislature, on requisition signed by the chairman of the committee, who shall be selected by the committee from among their number.

The motion of Mr. Dement to suspend the rules in order to bring up for immediate consideration the above and foregoing H.J.R. 22 was lost.

Yeas 19; Nays 50.

Yeas:

Mr. Speaker	Cox	Hall	Law
Broadfoot	Dement	Hawkins	Oden
Brown (Lamar)	Edwards (Escambia)	Hodges	Speaks
Callahan	Ferrell	Holliman	Wood
Cornett	Gregory	Johnson (Tallahpoosa)	

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Nays:

Messrs:	Goodwyn	Kirkham	Molette
Albea	Grouby	Lee (Barbour)	Money
Ashworth	Hain	Lee (Lawrence)	Nettles
Bagley	Haltom	Locke (Perry)	Nice
Bassett	Hardy	Love	Nolen
Boyd	Harrison	McClendon	Oakley
Bradford	Harvey	McKay	Payne
Brooks	Jenkins	McLendon	Perry
DeSear	Johnson (Elmore)	McNider	Pirkle
Franklin	Kaul	Martin	Pruitt
Gilchrist	Kendall	Meeks	Ramey

Richardson
Roberts

Shumate
Summerlin

Thomas
Ward

Windle

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And said resolution H.J.R. 22 was referred to the Standing Committee on Rules.

NOTICE IN WRITING

Mr. Harrison offered the following Notice in Writing:

As provided by House Rule No. 42. I hereby give one days notice in writing that on the next Legislative Day I will move that the Standing Committee on Welfare be directed to Act on House Bill 73.

MOTION IN WRITING

Mr. Nettles offered the following Motion in Writing:

As a point of personal privilege I move that the Journal show the following facts:

(1) When Senate Bill 1 (which provided for the one cent additional exemption to farmers on gas tax) was up for passage I voted correctly when I cast a "nay" vote on the substitute for the bill, which was adopted, and I incorrectly voted "nay" on the passage of the bill as it was my desire to vote for this farm exemption.

And the motion was adopted.

COMMITTEE APPOINTED

In accordance with the provisions of House Joint Resolution No. 12, the Speaker appointed as a Committee on part of the House: Messrs. Brassell (Chairman), Hare, Holliman, Summerlin, Brannan and Wood.

BILLS ON SECOND READING

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 46. (With Amendment) To amend Sections 347, 348, and 350 of Title 51, Code of Alabama (1940), which relate to the rate of the corporation franchise taxes and the distribution of the proceeds thereof.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 45. To further provide for the general revenue; to amend Section 718, Title 51, Code of Alabama 1940, as amended; to amend Section 741, Title 51, Code of Alabama 1940; and to amend Section 751, Title 51, Code of Alabama 1940.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 47. (With Amendment) To levy a license or privilege tax, in addition to all other taxes now imposed by law, on every person licensed under the provisions of Title 29 of the 1940 Code of Alabama who sells, stores, or receives for the purpose of distribution, malt or brewed beverages, and to provide how the tax shall be collected and distributed.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, With Substitute, and they were severally read a second time and placed on the Calendar, to-wit:

H. 58. (With Substitute) To amend Act No. 99, H. 237, approved June 3, 1943, entitled "An Act to further provide for the general revenue of the State of Alabama," which levies a tax on liquors (Acts of 1943 Regular Session, p. 104).

H. 71. (With Substitute) To amend Section 812 of Title 51 of the 1940 Code of Alabama, which Section relates to the definition of insurance companies, by said amendment including fraternal benefit societies and associations and reciprocal exchanges; to amend Section 1 and Section 2 of Act 156 of the Alabama Legislature of 1945, approved June 23, 1945; by said amendment changing the rate of premium tax to be paid annually by foreign and domestic insurance companies and providing certain credits and deductions based upon investment of the assets of the foreign insurance companies in Alabama; making said premium tax on foreign and domestic companies payable in the year One Thousand Nine Hundred and Fifty-Six upon the basis of premiums collected during the preceding year; to establish the Department of Insurance Fund for the operation and maintenance of the Department of Insurance; and to repeal Sections 818, 827, 828 and 829 of Title 51 of the 1940 Code, which Sections relate to taxes and fees paid by reciprocal exchanges and fire marshal tax on insurance companies.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 4. To repeal Act No. 694, S. 580, approved September 5, 1951, entitled "An Act Relating to public welfare; providing for monetary contributions to the support of certain needy persons by certain relatives thereof; prescribing the procedure for obtaining such contributions; making needy persons with certain relatives liable to contribute to their support ineligible to receive public assistance; imposing additional duties on county departments of public welfare, county solicitors and deputy circuit solicitors in connection with the administration of the Act; and authorizing the Commissioner of Public Welfare to promulgate rules and regulations for carrying out the purposes of the Act" (Acts of 1950-51, Vol. II, p. 1195), which is known as "The Relatives Responsibility Act."

H. 65. To create and establish a board of directors to manage and control the Alabama School of Trades created by, or provided for in Chapter 22 of Title 52, Code of Alabama (1940), as amended; abolishing the board of trustees created by an act approved August 12, 1947.

H. 66. To amend further Section 457 of Title 51, Code of Alabama, 1940, as amended, which relates to privilege license taxes on persons engaged in the business of selling or installing air-conditioning plants and equipment; and to provide that this Act shall be retroactive.

H. 67. To provide an additional judge for the Sixteenth Judicial Circuit of Alabama.

H. 80. To fix the salary of the director of the Legislative Reference Service.

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 76. To fix the compensation of the county solicitor of Lowndes County.

H. 79. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of the Town of Reform in Pickens County, Alabama.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Solomon, Hardy, Molette, Hain, Branyon, Windle, Harrison, Richardson, Dement, Brooks, DeSear, Hall, Dickson, Hunt and Locke (Perry):

H. 81. To provide for the protection of the Public Health and establish health standards and regulations governing the production, processing, handling, and distribution of milk for human consumption; requiring milk producers, processors, handlers, and distributors to obtain permits issued by the State Board of Health in conjunction with County Board of Health, prescribing penalties.

Health.

By Messrs. Meeks, Branyon, Martin, Ramey, Callahan, Vacca, Lackey, Brewer, Reynolds, Lee (Lawrence), Roberts, Kelly, Haltom, Perry, Kaul, Selman, Nice, Dement, Shumate, Davis, Brown (Lamar), Harrison, Pruitt, Harvey, DeSear, Locke (Perry), Cox, Ashworth, Jenkins, Hunt, McClendon, Adams, Johnson (Tallapoosa), Richardson, Locke (Choctaw), Hodges, Bradford, Albea, Bagley, Thomas, Lee (Barbour), Molette, Hardy, Hain, Oden, Gregory, Windle, Gist, Speaks, deGraffenried, Hawkins, Kendall, McNider, Oakley, Nettles, Kirkham, and Holliman:

H. 82. To make a conditional appropriation of one million dollars (\$1,000,000) for public welfare purposes.

Ways and Means.

By Mr. Haltom:

H. 83. (With Notice and Proof) To amend Act No. 39, S. 13, approved February 18, 1955, the Act abolishing the Board of Revenue of Lauderdale County and re-establishing a Court of County Commissioners, by repealing Section 8 of said Act.

Notice and Proof H. 83.

Local Legislation No. 1.

STATE OF ALABAMA,
COUNTY OF LAUDERDALE.

NOTICE is hereby given that a bill substantially as follows will be

introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 39, S. 13, approved February 18, 1955, the Act abolishing the Board of Revenue of Lauderdale County and re-establishing a Court of County Commissioners, by repealing Section 8 of said Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Act No. 39, S. 13, approved February 18, 1955, the Act abolishing the Board of Revenue of Lauderdale County and re-establishing a Court of County Commissioners, is amended by repealing Section 8 thereof, which section is in words and figures as follows:

"Section 8. As long as control of roads, bridges and highways in Lauderdale County remains in the State Highway Department each commissioner of the Court of County Commissioners of Lauderdale County must be furnished a suitable vehicle by and at the expense of the State Highway Department to be used exclusively by the commissioners as a means of transportation while occupied in discharge of their duties as county commissioners, including going to and returning from their respective courts. Any such vehicles may be recalled, however, by the Highway Director in the event any commissioner uses such vehicle provided him for purposes other than as hereinabove stated."

Milton C. Grisham,
State Senator, First Senatorial
District, Lauderdale-Limestone
Counties.
E. B. Haltom, Jr.
Member of House of Representatives
from Lauderdale County, Place No. 2
Feb. 26; Mar. 5, 12, 19c

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF LAUDERDALE.

Before me, the undersigned authority in and for said County in said State, this day personally appeared D. H. Bowling, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 26, March 5, March 12, and March 19, all in the year 1955.

D. H. BOWLING

Sworn to and subscribed before me March 19th., 1955.

L. H. BAKU
Notary Public

My Commission Expires August 2, 1955.

By Mr. Dickson:

H. 84. To amend Act No. 703, H. 544, approved September 5, 1951, which created the State Department of Public Welfare and made provisions for the administration of the State's public welfare program (Acts of 1950-1951, Vol. II, page 1211).

Ways and Means.

BILLS ON THIRD READING

S. 3 INDEFINITELY POSTPONED

On motion of Mr. Callahan, the bill, S. 3, was indefinitely postponed.

And the bill:

H. 68. To apply in all counties having a population of not less than 225,000 nor more than 400,000, according to the last or any subsequent federal decennial census; authorizing non-residents who are arrested for certain misdemeanors relative to the operation of motor vehicles on the public roads and highways to secure their release by posting a cash sum with the sheriff of the county in lieu of an appearance bond.

Was taken up.

Messrs. Murphy, Tyson, Simon, Dawkins, Goodwyn, Hall and Nolen offered the following substitute for the bill, H. 68:

Substitute for H. B. 68.

A BILL TO BE ENTITLED AN ACT

To apply in all counties having a population of not less than 125,000 nor more than 400,000, according to the last or any subsequent federal decennial census; authorizing non-residents who are arrested for certain misdemeanors relative to the operation of motor vehicles on the public roads and highways to secure their release by posting a cash sum with the sheriff of the county in lieu of an appearance bond.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The provisions of this Act shall apply in all counties of this State which have a population of not less than 125,000 nor more than 400,000 inhabitants, according to the last or any subsequent federal decennial census.

Section 2. (a) Any non-resident of the county who is arrested for a violation of any of the provisions of Title 36, Code of Alabama (1940), as amended, or of any other law or a duly promulgated rule or regulation relative to the operation of a motor vehicle on the roads and highways of this State which is punishable as a misdemeanor may, in lieu of giving bond to secure his release from custody, deposit with the sheriff of the county cash bail in such sum as the sheriff may prescribe, such sum to be paid over by him to the clerk of the court to which the writ is returnable before the date the case is to be tried, as a guaranty that such person will appear and answer the charges or forfeit the same to the State.

(b) The provisions of this Act shall not apply to any person arrested and charged with an offense causing or contributing to an

accident resulting in injury or death to any person, nor to any person charged with driving while under the influence of intoxicating liquor or of narcotic or other drugs, nor to any person whom the arresting officer shall have good cause to believe has committed a felony, nor to any person who is charged with the offense of illegally transporting liquor.

Section 3. Cash bail deposits shall be forfeited in all respects in the same manner that bail bonds are forfeited.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. The provisions of this Act are cumulative and shall not be construed to repeal or supersede any laws providing other or different means by which a defendant may secure his release from custody after an arrest.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Franklin	Kendall	Oden
Adams	Gilchrist	Kirkham	Payne
Albea	Goodwyn	Law	Perry
Ashworth	Gregory	Lee (Barbour)	Pirkle
Bagley	Grouby	Lee (Lawrence)	Pruitt
Bassett	Hain	Locke (Choctaw)	Ramey
Boyd	Hall	Locke (Perry)	Reynolds
Bradford	Haltom	Love	Roberts
Branyon	Hanby	McClendon	Selman
Brassell	Hardy	McKay	Shumate
Brewer	Harrison	McLendon	Simon
Broadfoot	Harvey	McNider	Speaks
Brooks	Hawkins	Martin	Steagall
Brown (Lamar)	Hodges	Mathison	Stembridge
Callahan	Holliman	Meeks	Summerlin
Cornett	Huddleston	Molette	Taylor
Cox	Hunt	Money	Thomas
Dawkins	Jenkins	Murphy	Vacca
DeSear	Johnson (Elmore)	Nettles	Ward
Dickson	Johnson (Tallapoosa)	Nolen	Windle
Edwards (Escambia)	Kelly	Oakley	Wood
Ferrell			

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And said bill, H. 68, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Ashworth	Boyd	Brassell
Adams	Bagley	Bradford	Brewer
Albea	Bassett	Branyon	Broadfoot

Brooks	Harrison	Locke (Perry)	Ramey
Brown (Lamar)	Harvey	Love	Reynolds
Cornett	Hawkins	McClendon	Richardson
Cox	Hodges	McKay	Roberts
Dawkins	Holliman	McLendon	Selman
DeSear	Huddleston	McNider	Shumate
Dickson	Hunt	Mathison	Simon
Edwards (Escambia)	Jenkins	Meeks	Solomon
Ferrell	Johnson (Elmore)	Molette	Speaks
Franklin	Johnson (Tallapoosa)	Money	Steagall
Gilchrist	Kelly	Murphy	Stembridge
Goodwyn	Kendall	Nettles	Summerlin
Gregory	Killough	Nolen	Taylor
Grouby	Kirkham	Oakley	Thomas
Hain	Lackey	Oden	Vacca
Hall	Law	Payne	Ward
Haltom	Lee (Barbour)	Perry	Windle
Hanby	Lee (Lawrence)	Pruitt	Wood
Hardy	Locke (Choctaw)		

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And the bill:

H. 77. To authorize the governing body of Pickens County, Alabama, to call an election in said county for the purpose of determining whether or not the said governing body of Pickens County may levy an additional privilege or license and excise and sales tax equalling one-half of one cent or one-sixth of and otherwise paralleling, with like provisions in Pickens County, such State taxes as are levied by the State of Alabama by Sections 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama and the amendments thereto, except that only one-sixth of the state levy may be levied by said county and providing for the collection thereof and also providing that the revenues arising from any levy made by said governing body of said county under authority of this act shall be used for the hospitals in said county for their repair, operation and maintenance, which hospitals are owned and operated by the Pickens County Hospital Association, and for such other and additional health purposes as the governing body of said county may deem meet and proper in said county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cornett	Haltom	Kirkham
Adams	Cox	Hanby	Lackey
Albea	Dawkins	Hardy	Law
Ashworth	DeSear	Hawkins	Lee (Barbour)
Bagley	Dickson	Hodges	Lee (Lawrence)
Bassett	Edwards (Escambia)	Holliman	Locke (Choctaw)
Boyd	Ferrell	Huddleston	Locke (Perry)
Bradford	Franklin	Hunt	Love
Branyon	Gilchrist	Jenkins	McClendon
Brassell	Goodwyn	Johnson (Elmore)	McKay
Brewer	Gregory	Johnson (Tallapoosa)	McLendon
Broadfoot	Grouby	Kelly	McNider
Brooks	Hain	Kendall	Martin
Brown (Lamar)	Hall	Killough	Mathison

Meeks	Oden	Selman	Summerlin
Molette	Payne	Shumate	Taylor
Money	Perry	Simon	Thomas
Murphy	Pirkle	Solomon	Vacca
Nettles	Ramey	Speaks	Ward
Nice	Reynolds	Steagall	Windle
Nolen	Richardson	Stembridge	Wood
Oakley	Roberts		

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And the bill:

H. 78. To authorize and empower the county governing body in any County of this State, having a population of not less than 94,000, and not more than 134,000 according to the last or any subsequent Federal Decennial Census, to employ one or more Probation officers, to work with Courts in such Counties having jurisdiction of juvenile offenders, and to authorize the payment of the salary and expenses of such Probation officer, and to authorize and empower municipalities in such Counties to join with such Counties in the payment of the salaries and expenses of such Probation officer.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Gilchrist	Lackey	Perry
Adams	Goodwyn	Law	Pirkle
Albea	Gregory	Lee (Barbour)	Pruitt
Ashworth	Grouby	Lee (Lawrence)	Ramey
Bagley	Hain	Locke (Choctaw)	Reynolds
Bassett	Hall	Locke (Perry)	Richardson
Boyd	Haltom	Love	Selman
Bradford	Hanby	McKay	Shumate
Branyon	Hardy	McLendon	Simon
Brassell	Harrison	McNider	Solomon
Brewer	Harvey	Martin	Speaks
Broadfoot	Hawkins	Mathison	Steagall
Brooks	Hodges	Meeks	Stembridge
Brown (Lamar)	Holliman	Molette	Stokes
Callahan	Huddleston	Money	Summerlin
Cornett	Jenkins	Murphy	Taylor
Cox	Johnson (Elmore)	Nettles	Thomas
Dawkins	Johnson (Tallapoosa)	Nice	Tyson
DeSear	Kelly	Nolen	Vacca
Dickson	Kendall	Oakley	Ward
Edwards (Escambia)	Killough	Oden	Windle
Ferrell	Kirkham	Payne	Wood
Franklin			

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And the bill:

S. 2. To extend, alter, rearrange and describe the boundary lines and corporate limits of the City of Alexander City, Tallapoosa County, Alabama.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Goodwyn	Lee (Lawrence)	Pruitt
Adams	Gregory	Locke (Choctaw)	Ramey
Albea	Grouby	Locke (Perry)	Reynolds
Ashworth	Hain	Love	Richardson
Bagley	Hall	McClendon	Roberts
Bassett	Haltom	McKay	Selman
Boyd	Harvey	McLendon	Shumate
Bradford	Hawkins	McNider	Simon
Branyon	Hodges	Martin	Solomon
Brasseli	Holliman	Mathison	Speaks
Brewer	Huddleston	Meeks	Steagall
Broadfoot	Hunt	Molette	Stembridge
Brooks	Jenkins	Money	Stokes
Brown (Lamar)	Johnson (Elmore)	Murphy	Summerlin
Callahan	Johnson (Tallapoosa)	Nettles	Taylor
Cox	Kelly	Nice	Thomas
DeSear	Kendall	Nolen	Tyson
Dickson	Killough	Oden	Vacca
Edwards (Escambia)	Kirkham	Payne	Ward
Ferrell	Lackey	Perry	Windle
Franklin	Law	Pirkle	Wood
Gilchrist	Lee (Barbour)		

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And the bill:

S. 5. Relating to Macon County; amending Section 10 of Act No. 334, H. 826, enacted September 12, 1939 (Local Acts of 1939, p. 225), the Act which created and established the Board of Revenue.

Was read a third time at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Goodwyn	Lee (Barbour)	Pirkle
Adams	Grouby	Lee (Lawrence)	Pruitt
Albea	Hain	Locke (Choctaw)	Ramey
Ashworth	Hall	Locke (Perry)	Reynolds
Bagley	Haltom	Love	Richardson
Bassett	Hanby	McClendon	Roberts
Boyd	Hardy	McKay	Selman
Bradford	Harrison	McLendon	Shumate
Branyon	Harvey	McNider	Simon
Brasseli	Hawkins	Martin	Solomon
Brewer	Hodges	Mathison	Speaks
Broadfoot	Holliman	Meeks	Steagall
Brooks	Huddleston	Molette	Stembridge
Brown (Lamar)	Hunt	Money	Stokes
Callahan	Jenkins	Murphy	Summerlin
Cornett	Johnson (Tallapoosa)	Nettles	Taylor
Cox	Kelly	Nice	Thomas
Dawkins	Killough	Nolen	Tyson
Dickson	Kirkham	Oakley	Vacca
Edwards (Escambia)	Kendall	Oden	Ward
Ferrell	Lackey	Payne	Windle
Franklin	Law	Perry	Wood
Gilchrist			

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RESOLUTION

The following resolution was introduced:

By Mr. Hawkins:

H.J.R. 23. BE IT RESOLVED by the House of Representatives, the Senate concurring, that when the two Houses adjourn today they adjourn to meet again on Tuesday, March 29, 1955.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 23 was adopted.

BILLS ON THIRD READING RESUMED

H. 64 (with amendment). To amend Section 567 of Title 52, Code of Alabama (1940), which relates to the adverse possession of sixteenth section lands under color of title.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

JUDICIARY COMMITTEE AMENDMENT TO H.B. NO. 64

Amend Section 1 of H.B. No. 64 by striking out the words or figures "1928" wherever the same appear and by inserting in lieu thereof the words or figures "1954."

And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Gilchrist	Killough	Payne
Adams	Gist	Kirkham	Pirkle
Albea	Goodwyn	Lackey	Pruitt
Ashworth	Gregory	Law	Ramey
Bagley	Grouby	Lee (Barbour)	Reynolds
Bassett	Hain	Lee (Lawrence)	Richardson
Boyd	Hall	Locke (Choctaw)	Roberts
Bradford	Haltom	Locke (Perry)	Selman
Branyon	Hanby	Love	Shumate
Brewer	Hardy	McClendon	Simon
Broadfoot	Harrison	McKay	Solomon
Brooks	Harvey	McLendon	Speaks
Brown (Lamar)	Hawkins	McNider	Steagall
Callahan	Hodges	Mathison	Stembridge
Cornett	Holliman	Meeks	Stokes
Cox	Huddleston	Molette	Summerlin
Dawkins	Hunt	Money	Taylor
Dement	Jenkins	Murphy	Thomas
DeSear	Johnson (Elmore)	Nettles	Tyson
Dickson	Johnson (Tallapoosa)	Nice	Vacca
Edwards (Escambia)	Kaul	Nolen	Ward
Ferrell	Kelly	Oakley	Windle
Franklin	Kendall	Oden	Wood

And said bill, H. 64, as thus amended, was read a third time at

length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Gilchrist	Kirkham	Perry
Adams	Gist	Lackey	Pirkle
Albea	Gregory	Law	Pruitt
Ashworth	Grouby	Lee (Barbour)	Ramey
Bagley	Hain	Lee (Lawrence)	Reynolds
Bassett	Hall	Locke (Choctaw)	Richardson
Boyd	Haltom	Locke (Perry)	Roberts
Bradford	Hanby	Love	Selman
Branyon	Hardy	McClendon	Shumate
Brewer	Harrison	McKay	Simon
Broadfoot	Harvey	McLendon	Solomon
Brooks	Hawkins	McNider	Speaks
Brown (Lamar)	Hodges	Mathison	Steagall
Callahan	Holliman	Meeks	Stembridge
Cornett	Huddleston	Molette	Stokes
Cox	Hunt	Money	Summerlin
Dawkins	Jenkins	Murphy	Taylor
Dement	Johnson (Elmore)	Nettles	Thomas
DeSear	Johnson (Tallapoosa)	Nice	Tyson
Dickson	Kaul	Nolen	Vacca
Edwards (Escambia)	Kelly	Oakley	Ward
Ferrell	Kendall	Oden	Windle
Franklin	Killough	Payne	Wood

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

HJR 23—Relative to adjournment of the two Houses until Tuesday, March 29, 1955.

J. E. SPEIGHT,
Secretary

CERTIFICATE OF CLERK

The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:10 A.M. On March 25, 1955

H. 3
H. 15
H. 37
H. 40
H. 41
H. 42
H. 48
H. 49

H. 51
H. 52
H. 53

R. T. GOODWYN, JR.
Clerk

ADJOURNMENT

On motion of Mr. Oden the House adjourned until Tuesday, March 29, 1955, at eleven o'clock A.M.

EIGHTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, March 29, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Charles S. Forester, Pastor, First Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dickson	Kaul	Oakley
Adams	Edwards (Escambia)	Kelly	Oden
Albea	Edwards (Jefferson)	Kendall	Payne
Ashworth	Faulk	Killough	Perry
Bagley	Ferrell	Kirkham	Pirkle
Bassett	Franklin	Lackey	Ramey
Boyd	Gilchrist	Law	Reynolds
Bradford	Gist	Lee (Barbour)	Richardson
Brannan	Goodwyn	Lee (Lawrence)	Roberts
Branyon	Gregory	Locke (Choctaw)	Selman
Brassell	Grouby	Locke (Perry)	Shumate
Brewer	Hain	Love	Simon
Broadfoot	Hall	McClendon	Solomon
Brooks	Haltom	McKay	Speaks
Brown (Lamar)	Hanby	McLendon	Steagall
Brown (Lee)	Hare	McNider	Stembridge
Burkhalter	Harrison	Martin	Stokes
Callahan	Harvey	Mathews	Summerlin
Cornett	Hawkins	Mathison	Taylor
Cox	Hodges	Meeks	Thomas
Crook	Holliman	Molette	Tyson
Davis	Huddleston	Money	Vacca
Dawkins	Hunt	Murphy	Ward
deGraffenried	Jenkins	Nettles	Windle
Dement	Johnson (Elmore)	Nice	Wood
DeSear	Johnson (Tallapoosa)	Nolen	

A quorum was present.

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REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the seventh legislative day and finds the same to be correct.

RANKIN FITE
Chairman

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the seventh legislative day was dispensed with and the report of the Standing Committee on Rules, was concurred in and adopted, and the Journal of the seventh legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 6. To amend Act No. 323, H. 35, approved August 2, 1949, which provides for a refund of a portion of the state tax paid on gasoline used to propel tractors (1949 Acts 469).

Also:

H. 50. To make an additional appropriation to the Department of Civil Defense out of any funds in the State Treasury not otherwise appropriated for the fiscal year ending September 30, 1955.

And finds same correctly enrolled.

RANKIN FITE,
Chairman

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Bradford

S. 11. Relating to Clarke County; creating the office of special deputy sheriff; and providing for the appointment, duties, salary, and manner of payment of the salary of such special deputy.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Clarke County; creating the office of special deputy

sheriff; and providing for the appointment, duties, salary, and manner of payment of the salary of such special deputy.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby created the office of special deputy sheriff for Clark County, which deputy shall be in addition to the deputies now provided by law. The special deputy sheriff provided for herein shall be appointed by the sheriff, shall serve at his pleasure, and shall perform the duties of deputy sheriff of Clarke County, and such other duties connected with the office of sheriff as the sheriff shall assign to him.

Section 2. The special deputy sheriff provided for by this Act shall be paid a salary of three hundred fifty dollars (\$350.00) per month, payable monthly. The governing body of Clarke County is hereby authorized and directed to draw warrants each month on the county treasurer in favor of the special deputy sheriff for the preceding month's work, on the certificate of the sheriff that such work has been performed, in the amount hereinabove provided, which warrants shall be paid out of the general funds of the county.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared G. A. Carleton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of the Clarke County Democrat, a newspaper of general circulation published in Clarke County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 17, Feb. 24, March 3, and March 10, all in the year 1955.

G. A. Carleton

Sworn to and subscribed before me March 15, 1955.

Hazel Keen
Title Notary Public
Clarke County, Ala.

Also:

By Messrs. Boutwell, Vann, Eddins, Robison, Engelhardt, Coleman, Bradford, Cooper and James:

S. 10. To make a conditional appropriation of one million dollars (\$1,000,000) for public welfare purposes.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and

foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 11. Local Legislation No. 1.

S. 10. Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Van Antwerp:

SJR 8—A Resolution Memorializing Congress to Enact H. R. 3204, 84th Congress, 1st Session, Which Provides for a Floating Ocean Weather Station in the Gulf of Mexico.

Whereas the Gulf Coast is the only coast without a weather station off-shore, and there is a proven need for more adequate weather information in this highly productive section of the United States; and

Whereas Congressman Frank W. Boykin of Alabama introduced in the 84th Congress, 1st Session, H. R. 3204, on January 27, 1955, "To provide that one floating ocean station shall be maintained at all times in the Gulf of Mexico to provide storm warnings for States bordering on the Gulf of Mexico; and

"Whereas lives and property amounting to over two billion dollars are in jeopardy due to lack of information from the central and western Gulf of Mexico where destructive storms form very suddenly"; now therefore,

BE IT RESOLVED by the Legislature of Alabama, both houses thereof concurring, that the Congress of the United States be urged to give immediate consideration to H.R. 3204 in order that a weather station in the Gulf of Mexico may be established, because existing land-based facilities have proven inadequate for the needs of fishing fleets which now range far beyond the scope of radar stations, and the economy of the Gulf States' fisheries is seriously threatened because of the lack of weather protection which would be provided by a weather station in the Gulf of Mexico.

Resolved further, that copies of this resolution be sent to the members of Alabama's congressional delegation and to the Speaker of the House of Representatives of the Congress of the United States and to the President of the United States Senate.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Murphy the rules were suspended and the House concurred in and adopted the S.J.R. 8 set out in the above and foregoing Message from the Senate.

MOTION IN WRITING

Mr. Jenkins offered the following Motion in Writing:

As a point of personal privilege I move that the Journal show the following facts:

(1) When Senate Bill 1 (which provided for the one cent additional exemption to farmers on gas tax) was up for passage I voted correctly when I cast a "nay" vote on the substitute for the bill, which was adopted, and I incorrectly voted "nay" on the passage of the bill as it was my desire to vote for this farm exemption.

And the motion was adopted.

PURSUANT TO NOTICE IN WRITING GIVEN BY MR. HARRISON

Pursuant to Notice in writing given to the House of Representatives at its last session on Friday, March 25, 1955, and pursuant to the provisions of House Rule 42, I hereby petition the House to direct the standing committee on Public Welfare to act on House Bill 73 heretofore referred to said Committee and to report said bill to the House at its next sitting.

And the petition was adopted.

Yeas 67; Nays 33.

Yeas:

Messrs:	Gilchrist	Killough	Nolen
Ashworth	Gist	Kirkham	Payne
Bagley	Goodwyn	Lackey	Perry
Bassett	Grouby	Lee (Barbour)	Pirkle
Boyd	Hain	Lee (Lawrence)	Reynolds
Bradford	Haltom	Locke (Choctaw)	Richardson
Brannan	Hanby	Locke (Perry)	Roberts
Brewer	Hare	McClendon	Simon
Brown (Lee)	Harrison	McKay	Solomon
Cornett	Harvey	McLendon	Speaks
Crook	Hodges	Martin	Stokes
deGraffenried	Holliman	Meeks	Summerlin
DeSear	Huddleston	Molette	Taylor
Dickson	Hunt	Money	Thomas
Edwards (Jefferson)	Jenkins	Murphy	Tyson
Ferrell	Kaul	Nettles	Vacca
Franklin	Kendall	Nice	Windle

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Nays:

Mr. Speaker	Cox	Hawkins	Oakley
Albea	Davis	Johnson (Elmore)	Oden
Branyon	Dawkins	Johnson (Tallapoosa)	Ramey
Brassell	Dement	Kelly	Selman
Broadfoot	Edwards (Escambia)	Law	Shumate
Brooks	Faulk	Love	Steagall
Brown (Lamar)	Gregory	McNider	Stembridge
Burkhalter	Hall	Mathews	Ward
Callahan			

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BILLS ON SECOND READING

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 83. To amend Act No. 39, S. 13, approved February 18, 1955, the

Act abolishing the Board of Revenue of Lauderdale County and re-establishing a Court of County Commissioners, by repealing Section 8 of said Act.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Brannan

H. 85. To apply in all counties having a population of not less than 40,500 nor more than 45,000 inhabitants, according to the last or any subsequent federal decennial census; providing that any savings and loan association organized and operating under the provisions of Chapter 11 of Title 5, Code of Alabama (1940), as amended, and existing in any such county, may, with the approval of the Savings and Loans Commissioner, State Department of Commerce, open, establish, and maintain a branch office in any municipality located within such county other than the municipality in which it is now operating.

Local Legislation No. 1

By Messrs. Ward and Brown (Lee) (With Notice and Proof)

H. 86. To amend Act No. 301, H. 595, approved July 27, 1951, which authorizes the clerk of the Circuit Court of Lee County to employ clerical assistance (1950-51 Acts, Vol. 1, page 596).

Notice and Proof H. 86.

Local Legislation No. 1

L E G A L

Notice is hereby given that the following local bill will be introduced in the Legislature, State of Alabama, in the next session.

A BILL TO BE ENTITLED AN ACT

To amend Act No. 301, H. 595, approved July 27, 1951, which authorizes the clerk of the Circuit Court of Lee County to employ clerical assistants (1950-51 Acts, Vol. I, p. 596).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section one of Act No. 301, H. 595, approved July 27, 1951, entitled, "An Act Relating to Lee County: To authorize the Circuit Clerk of Lee County, Alabama, to employ and prescribe the duties of clerical assistants with the approval of the county governing body, and to provide that the compensation of such assistants shall be fixed and paid by the governing body of Lee County," is amended to read as follows:

Section 1. With the approval of the governing body of Lee County, Alabama, the circuit clerk shall be authorized to employ and prescribe the duties of secretarial or clerical assistants in his office, whose compensation shall be fixed by the governing body of said county at not more than three thousand six hundred dollars (\$3,600.00) per annum altogether. The compensation of the clerk's assistants shall be paid out the general funds of the county."

Section 2. This Act shall become effective immediately upon its

passage and approval by the Governor, or upon its otherwise becoming a law.

(3-24-55).

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Lee County Bulletin, a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 3, March 10, March 17, and March 24, all in the year 1955.

Neil D. Davis

Sworn to and subscribed before me March 25, 1955.

T. H. Burton
Title Notary Public

BILLS ON THIRD READING

H. 76. To fix the compensation of the county solicitor of Lowndes County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Edwards ^(Escambia)	Kendall	Oden
Adams	Edwards ^(Jefferson)	Killough	Payne
Albea	Faulk	Kirkham	Perry
Ashworth	Ferrell	Lackey	Pirkle
Bagley	Franklin	Law	Ramey
Bassett	Gilchrist	Lee ^(Barbour)	Reynolds
Boyd	Gist	Lee ^(Lawrence)	Richardson
Bradford	Goodwyn	Locke ^(Choctaw)	Roberts
Branyon	Gregory	Locke ^(Perry)	Selman
Brassell	Grouby	Love	Shumate
Brewer	Hain	McKay	Simon
Broadfoot	Hall	McLendon	Solomon
Brooks	Haltom	McNider	Speaks
Brown ^(Lamar)	Hare	Martin	Steagall
Brown ^(Lee)	Harrison	Mathews	Stembridge
Burkhalter	Harvey	Mathison	Stokes
Cornett	Hodges	Meeks	Summerlin
Cox	Holliman	Molette	Taylor
Crook	Huddleston	Money	Thomas
Davis	Hunt	Murphy	Tyson
Dawkins	Jenkins	Nettles	Vacca
Dement	Johnson ^(Elmore)	Nice	Ward
DeSear	Johnson ^(Tallapoosa)	Nolen	Windle
Dickson	Kelly	Oakley	Wood

And the bill:

H. 46 (with amendment). To amend Sections 347, 348, and 350 of Title 51, Code of Alabama (1940), which relate to the rate of the corporation franchise taxes and the distribution of the proceeds thereof.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Committee Amendment to H.B. No. 46

Amend H.B. No. 46 by deleting therefrom the words and figures "three dollars (\$3.00)" where they appear in lines nine (9), ten (10), seventeen (17), and eighteen (18) and substitute therefor the words and figures "two and one-half dollars (\$2.50)."

Further amend H.B. No. 46 by deleting the words "one-tenth of two-thirds" where the same appears in lines one and two of page two of said bill and substitute therefor the words and figures "two twenty-fifths (2/25)."

Further amend H.B. No. 46 by deleting the words "one-third" where they appear in line eight (8) of page two (2) of said bill and substitute therefor the words "one-fifth."

And the amendment was adopted.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	DeSear	Johnson (Elmore)	Nolen
Adams	Dickson	Johnson (Tallapoosa)	Oden
Albea	Edwards (Escambia)	Kaul	Payne
Ashworth	Edwards (Jefferson)	Kendall	Perry
Bagley	Faulk	Killough	Pirkle
Bassett	Ferrell	Lackey	Ramey
Boyd	Franklin	Law	Reynolds
Bradford	Gilchrist	Lee (Barbour)	Richardson
Brannan	Gist	Lee (Lawrence)	Roberts
Branyon	Goodwyn	Locke (Choctaw)	Selman
Brassell	Gregory	Locke (Perry)	Shumate
Brewer	Grouby	Love	Simon
Broadfoot	Hain	McClendon	Solomon
Brooks	Hall	McKay	Speaks
Brown (Lamar)	Haltom	McLendon	Steagall
Brown (Lee)	Hanby	McNider	Stembridge
Burkhalter	Hare	Martin	Stokes
Callahan	Harrison	Mathews	Summerlin
Cornett	Harvey	Mathison	Taylor
Cox	Hawkins	Meeks	Thomas
Crook	Hodges	Molette	Tyson
Davis	Holliman	Money	Vacca
Dawkins	Huddleston	Murphy	Ward
deGraffenried	Hunt	Nettles	Windle
Dement	Jenkins	Nice	Wood

—100

Mr. Ashworth offered the following amendment to the bill, H. 46, as amended:

AMENDMENT OF H. 46

Strike out the period at the end of section 3, insert a comma, and add the following:

aid to dependent children, aid to the permanently and totally disabled, aid to the blind, aid to children infoster care, and temporary aid, as provided in the public welfare laws of this State.

On motion of Mr. Hawkins the amendment offered by Mr. Ashworth was laid upon the table.

Yeas 64; Nays 33.

Yeas:

Mr. Speaker	Dawkins	Johnson (Tallapoosa)	Oden
Albea	Dement	Kelly	Ramey
Bagley	Edwards (Escambia)	Kendall	Reynolds
Bassett	Ferrell	Killough	Roberts
Boyd	Franklin	Lackey	Selman
Bradford	Gist	Law	Shumate
Branyon	Gregory	Lee (Lawrence)	Solomon
Brassell	Grouby	Love	Speaks
Brewer	Hall	McNider	Steagall
Broadfoot	Haltom	Martin	Stembridge
Brooks	Hanby	Mathews	Stokes
Brown (Lamar)	Hawkins	Mathison	Summerlin
Burkhalter	Hodges	Molette	Taylor
Cornett	Hunt	Money	Vacca
Cox	Jenkins	Murphy	Ward
Davis	Johnson (Elmore)	Nettles	Wood

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Nays:

Messrs:	Edwards (Jefferson)	Kaul	Nice
Ashworth	Faulk	Kirkham	Nolen
Brannan	Gilchrist	Lee (Barbour)	Payne
Brown (Lee)	Goodwyn	Locke (Choctaw)	Perry
Callahan	Hain	Locke (Perry)	Richardson
Crook	Hare	McKay	Simon
deGraffenried	Harrison	McLendon	Thomas
DeSear	Harvey	Meeks	Windle
Dickson	Holliman		

—33

And said bill, H. 46, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 6.

Yeas:

Mr. Speaker	Branyon	Cox	Faulk
Adams	Brassell	Crook	Franklin
Albea	Brewer	Davis	Gilchrist
Ashworth	Broadfoot	Dawkins	Gist
Bagley	Brooks	deGraffenried	Goodwyn
Bassett	Brown (Lamar)	Dement	Gregory
Boyd	Burkhalter	Dickson	Grouby
Bradford	Callahan	Edwards (Escambia)	Hall
Brannan	Cornett	Edwards (Jefferson)	Haltom

Hanby	Kendall	Mathison	Shumate
Hare	Killough	Money	Simon
Harrison	Lackey	Murphy	Solomon
Harvey	Law	Nettles	Speaks
Hawkins	Lee (Barbour)	Nice	Steagall
Hodges	Lee (Lawrence)	Nolen	Stembridge
Holliman	Locke (Choctaw)	Oden	Stokes
Huddleston	Locke (Perry)	Perry	Summerlin
Hunt	Love	Pirkle	Taylor
Jenkins	McClendon	Ramey	Tyson
Johnson (Elmore)	McLendon	Reynolds	Vacca
Johnson (Tallapoosa)	McNider	Richardson	Ward
Kaul	Martin	Roberts	Windle
Kelly	Mathews	Selman	Wood

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Nays:

Messrs:	Hain	McKay	Payne
DeSear	Kirkham	Molette	

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PAIR ANNOUNCED

Mr. Thomas announced that he was paired with Mr. Pruitt. If Mr. Pruitt were present he would vote "nay" and Mr. Thomas would vote "yea."

And the bill:

H. 45. To further provide for the general revenue; to amend Section 718, Title 51, Code of Alabama 1940; as amended; to amend Section 741, Title 51, Code of Alabama 1940; and to amend Section 751, Title 51, Code of Alabama 1940.

Was taken up.

Messrs. Hawkins and Dawkins offered the following substitute for the bill, H. 45:

**A BILL
TO BE ENTITLED
AN ACT**

To further provide for the general revenue; to amend Section 718, Title 51, Code of Alabama, 1940, as amended; to amend Section 741, Title 51, Code of Alabama 1940; and to amend Section 751, Title 51, Code of Alabama 1940.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1, Section 718, Title 51, Code of Alabama 1940, as amended is hereby amended to read as follows:

Section 718. Who liable for tax; amount.—In addition to all other taxes of every kind now imposed by law and which are not specifically repealed by this article 9, every person, firm, corporation, club or association, within the State of Alabama, who sells or stores or receives for the purpose of distribution to any person, firm, corporation, club or association within the State of Alabama, cigars, charoots, stogies, cigarettes, smoking tobacco, chewing tobacco, snuff, or any substitute therefor, either or all, shall pay to the State of Alabama for state purposes only a license or privilege tax which shall be measured by and gradu-

ated in accordance with the volume of sales of such person, firm, corporation, club or association in Alabama. There is hereby levied license or privilege taxes on articles containing tobacco enumerated in this subdivision in the following amounts: (1) Little cigars. Upon cigars of all descriptions made of tobacco, or any substitute therefor, retailing not more than three pounds per thousand, one cent for each ten cigars, or fractional part thereof. (2) Cheroots, stogies, cigars, etc. Upon cigars of all descriptions made of tobacco, or any substitute therefor, retailing for three and one-third cents each or less, one dollar per thousand. (3) Cigars. Upon cigars of all descriptions made of tobacco, or any substitute therefor retailing for more than three and one-third cents each and not more than five cents each, two dollars per thousand. (4) Cigars. Upon cigars of all descriptions made of tobacco or any substitute therefor, retailing for more than five cents each and not exceeding eight cents each, three dollars per thousand. (5) Cigars. Upon cigars of all descriptions made of tobacco or any substitute therefor, retailing for more than eight cents each and not exceeding ten cents each, five dollars per thousand. (6) Cigars. Upon cigars of all descriptions made of tobacco, or any substitute therefor, retailing for more than ten cents and not exceeding twenty cents each, ten dollars per thousand. (7) Cigars. Upon cigars of all descriptions made of tobacco, or any substitute therefor, retailing for more than twenty cents each, thirteen dollars and fifty cents per thousand. (8) Cigarettes. Upon all cigarettes made of tobacco, or any substitute therefor, three and two-fifths inches long or less and weighing not more than three pounds per thousand, two mills on each such cigarette. (9) Cigarettes. Upon all cigarettes made of tobacco or any substitute therefor, over three and two-fifths inches long and less than five and one-half inches long, weighing not more than six pounds per thousand, four mills on each such cigarette. (10) Cigarettes. Upon all cigarettes made of tobacco, or any substitute therefor, five and one-half inches long or longer, one and one-third cents on each such cigarette. (11) Smoking tobacco. Upon all smoking tobacco, including granulated, plug cut, crimp cut, ready rubbed and other kinds and forms of tobacco prepared in such manner as to be suitable for smoking in a pipe or cigarette upon each package; weighing not more than one and one-eighth ounces; tax one cent; over one and one-eighth ounces, not exceeding two ounces, tax three cents; over two ounces, not exceeding three ounces, tax five cents; over three ounces, not exceeding four ounces, tax seven cents; two cents additional tax for each ounce or fractional part thereof over four ounces. (12) Chewing tobacco. Upon all chewing tobacco prepared in such manner as to be suitable for chewing only and not suitable for smoking as described and taxed in subsection (11) of this section: Three-fourths cent per ounce or fractional part thereof. (13) Snuff. Upon each can or package of snuff weighing not more than five-eighths ounces, one-half cent tax; over five-eighths ounces and not exceeding one and five-eighths ounces, one cent tax; over one and five-eighths ounces and not exceeding two and one-half ounces, two cents tax; over two and one-half ounces and not exceeding three ounces, two and one-half cents; over three ounces and not exceeding five ounces (cans, packages, gullets), three cents tax; over three ounces and not exceeding five ounces (glasses, tumblers, bottles), three and one-half cents tax; over five ounces and not exceeding six ounces, four cents tax; weighing over six ounces, an additional one cent for each ounce or fractional part thereof. (a) Whenever in this article reference is made to any manufactured tobacco products, manufactured or imported to sell at a certain price, as the basis for computing the tax, it is intended to mean the ordinary, customary, or usual price paid by the consumer for such tobacco products taxable under this article. (b)

Whenever in this article reference is made to any manufactured tobacco products on which the tax is based on weight, the weight as shown by the manufacturer or the federal internal revenue stamp shall apply. (c) When the retail or selling price is referred to in this article as the basis for computing the amount of stamps required on any article, it is intended to mean the retail or selling price of the articles before adding the amount of the tax. (d) When any articles or commodities subject to tax in this article are given as prizes on punch boards, shooting galleries, premiums, etc., the tax shall be based on the ordinary retail selling price of such articles. (e) The tax herein levied shall be paid through the use of stamps herein provided for. Stamps in denominations to the amount of the tax shall be affixed to the box or other container from or in which tobacco products taxed by this subdivision are normally sold at retail. The stamps shall be affixed in such a manner that their removal will require continued application of water or steam; and in case of cigars, cheroots, chewing tobacco and like manufactured tobacco products, where sales are made from the original container, the stamps shall be affixed to the box or container in such a way that the stamps shall be torn in two or mutilated when such containers or boxes are opened for the sale of the tobacco products. In the case of cigarettes, smoking tobacco, snuff and like products, sold at retail in packages, the required amount of stamps to cover the tax shall be affixed to each individual package or container. All taxable tobaccos herein enumerated, when offered for sale, either at wholesale or retail, without having stamps affixed in the manner set out by this article, shall be subject to confiscation, in the manner provided for contraband goods as set out in this article. (f) The description of tobacco products contained in subsections (8) to (10), inclusive, of this section are hereby declared to be standard as to dimensions and weights, when shown, for taxing purposes as provided in article 9. Provided, further, that where cigarettes described in subsection (8) of this section, are packed in varying quantities of less than twenty cigarettes, the following rates shall govern: packages containing ten cigarettes or less shall require a two-cent stamp; packages containing more than ten cigarettes and not to exceed twenty cigarettes, shall require a four-cent stamp. Provided, further, that where cigarettes described in subsection (9) of this section are packed in varying quantities of less than twenty cigarettes, the following rates shall govern: packages containing ten cigarettes or less shall require a four-cent stamp; packages containing more than ten cigarettes and not to exceed twenty cigarettes shall require an eight-cent stamp. Provided, further, that cigarettes described in subsection (10) of this section, regardless of packing, shall require a tax of one and one-third cent per cigarette.

Section 2. Section 741, Title 51, Code of Alabama 1940 is hereby amended so as to read as follows:

Section 741. To whom revenues paid; how paid; disposition. All revenue collected under the provisions of this subdivision except as otherwise provided herein, shall be paid to the department of revenue by check or draft made payable to the treasurer of Alabama; provided, that the revenue payable hereunder is payable in money and the department of revenue may adopt such methods of payment as may be reasonable and convenient, but no substitute for money shall constitute payment until the money is actually received. Provided further that all revenue collected under the provisions of this subdivision shall be distributed in the following manner: One-fourth of the amounts derived from the tax levied on cigarettes by Section 718, Title 51, after a proportionate part thereof to take care of the discount allowed on the sale of the revenue stamps to wholesalers and a proportionate part of the cost of

collecting said taxes have been deducted, shall be deposited in the state treasury in the fund for Old Age Assistance purposes, and shall be used exclusively for such purposes. The balance of the revenue collected under the provisions of this subdivision after said deposits for Old Age Assistance purposes have been made, shall be deposited in the state treasury to the credit of the Alabama Special Education Trust Fund.

Section 3. Section 751, Title 51, Code of Alabama 1940 shall be amended so as to read as follows:

Section 751. Disposition of funds. All revenue collected under the provisions of this subdivision shall be paid to the department of revenue, and shall be distributed as is provided for the distribution of funds in Section 741, Title 51, as the same is amended by this Act.

Section 4. This Act shall become effective on the first day of the third month following its passage and approval by the Governor or its otherwise becoming a law.

And the substitute was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Edwards ^(Escambia)	Johnson ^(Tallapoosa)	Oden
Adams	Edwards ^(Jefferson)	Kaul	Payne
Albea	Faulk	Kendall	Perry
Ashworth	Ferrell	Killough	Pirkle
Bagley	Franklin	Kirkham	Ramey
Bassett	Gilchrist	Lackey	Reynolds
Boyd	Gist	Law	Richardson
Bradford	Goodwyn	Lee ^(Barbour)	Roberts
Brannan	Gregory	Lee ^(Lawrence)	Selman
Branyon	Grouby	Locke ^(Choctaw)	Shumate
Brassell	Hain	Locke ^(Perry)	Simon
Broadfoot	Hall	Love	Solomon
Brooks	Haltom	McClendon	Speaks
Brown ^(Lamar)	Hanby	McKay	Steagall
Burkhalter	Hare	McLendon	Stembridge
Callahan	Harrison	McNider	Stokes
Cornett	Harvey	Martin	Summerlin
Cox	Hawkins	Mathews	Taylor
Crook	Hodges	Mathison	Thomas
Davis	Holliman	Meeks	Tyson
Dawkins	Huddleston	Nettles	Vacca
deGraffenried	Hunt	Nice	Ward
Dement	Jenkins	Nolen	Windle
Dickson	Johnson ^(Elmore)	Oakley	Wood

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Messrs. Hawkins and Dawkins offered the following amendment to the bill, H. 45, as amended:

AMENDMENT TO HOUSE BILL NO. 45, As Amended

Amend House Bill No. 45 by striking therefrom Section 2 thereof and inserting in lieu thereof, the following:

"Section 2. Section 741, Title 51, Code of Alabama 1940 is hereby amended so as to read as follows:

"Section 741. To whom revenues paid; how paid. All revenues collected under the provisions of this subdivision except as otherwise provided, shall be paid to the Department of Revenue by check or draft made payable to the treasurer of Alabama, and shall be distributed in the following manner: One-fourth of that revenue derived from the tax levied upon cigarettes by Section 718 and one-fourth of the tax levied upon cigarettes by Section 745 shall be deposited in the State Treasury to the credit of the State Public Welfare Trust Fund and is hereby appropriated for old age assistance purposes only; the balance of the revenue collected under the provisions of Section 718 and Section 745 of this Title shall be deposited in the State Treasury to the credit of the Alabama Special Educational Trust Fund."

And the amendment was adopted.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Tallapoosa)	Nolen
Adams	Edwards (Escambia)	Kaul	Oakley
Albea	Edwards (Jefferson)	Kelly	Oden
Ashworth	Faulk	Kendall	Payne
Bagley	Ferrell	Killough	Perry
Bassett	Franklin	Kirkham	Pirkle
Boyd	Gilchrist	Law	Ramey
Bradford	Gist	Lee (Barbour)	Reynolds
Brannan	Goodwyn	Lee (Lawrence)	Roberts
Branyon	Gregory	Locke (Choctaw)	Selman
Brassell	Grouby	Locke (Perry)	Shumate
Brewer	Hain	Love	Simon
Broadfoot	Hall	McClendon	Speaks
Brown (Lamar)	Haltom	McKay	Steagall
Brown (Lee)	Hanby	McLendon	Stembridge
Burkhalter	Hare	McNider	Stokes
Callahan	Harrison	Martin	Summerlin
Cornett	Harvey	Mathews	Taylor
Cox	Hawkins	Mathison	Thomas
Crook	Hodges	Meeks	Tyson
Davis	Holliman	Molette	Vacca
Dawkins	Huddleston	Money	Ward
deGraffenried	Hunt	Murphy	Windle
Dement	Jenkins	Nettles	Wood
DeSear	Johnson (Elmore)	Nice	

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And said bill, H. 45, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 8.

Yeas:

Mr. Speaker	Brassell	Cox	Faulk
Adams	Brewer	Crook	Ferrell
Ashworth	Broadfoot	Davis	Franklin
Bassett	Brooks	Dawkins	Gilchrist
Boyd	Brown (Lamar)	deGraffenried	Gist
Bradford	Burkhalter	Dement	Goodwyn
Brannan	Callahan	Edwards (Escambia)	Gregory
Branyon	Cornett	Edwards (Jefferson)	

Grouby	Kaul	Martin	Selman
Hain	Kelly	Mathews	Shumate
Hall	Kendall	Mathison	Simon
Haltom	Killough	Meeks	Solomon
Hanby	Kirkham	Money	Speaks
Hare	Lackey	Nettles	Steagall
Harrison	Law	Nice	Stembridge
Harvey	Lee (Barbour)	Nolen	Stokes
Hawkins	Lee (Lawrence)	Oakley	Summerlin
Hodges	Locke (Choctaw)	Oden	Taylor
Holliman	Locke (Perry)	Payne	Thomas
Huddleston	Love	Perry	Vacca
Hunt	McClendon	Pirkle	Ward
Jenkins	McKay	Ramey	Windle
Johnson ^(Elmore)	McLendon	Reynolds	Wood
Johnson ^(Tallapoosa)	McNider	Roberts	

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Nays:

Messrs:	DeSear	Molette	Richardson
Albea	Dickson	Murphy	Tyson
Bagley			

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MOTION TO RECONSIDER

The motion of Mr. Dawkins to reconsider the vote by which the bill, H. 46, as amended, was passed, was adopted.

And the bill:

H. 46. To amend Sections 347, 348, and 350 of Title 51, Code of Alabama (1940), which relate to the rate of the corporation franchise taxes and the distribution of the proceeds thereof.

Was again taken up.

RECESS

On motion of Mr. Dawkins the House recessed until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:00 o'clock having arrived, the House reconvened.

COMMITTEE APPOINTMENT

The resignation of Mr. Hare on the committee heretofore appointed pursuant to the provisions of H.J.R. 12 was accepted, and the Speaker appointed Mr. Hall as a member of said committee to fill the vacancy created by the resignation of Mr. Hare.

MESSAGE FROM THE SENATE**Mr. Speaker:**

The Senate has passed the following House bills and returns same herewith to the House:

H. 34. To amend Section 211 of Title 29, Code of Alabama (1940), which relates to the officers who may issue search warrants under the

law regulating the possession, sale, and distribution of intoxicating liquors and alcoholic beverages.

Also:

H. 33. To amend Section 131 of Title 23, Code of Alabama, 1940, which relates to the dumping, throwing or leaving debris, trash and rubbish on highways.

Also:

H. 38. To amend Section 10 of Title 37, Code of Alabama (1940).

Also:

H. 21. To amend Section 27, Title 10, Code of Alabama (1940), which relates to corporations.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 56. Relating to judicial procedure; making exceptions to rulings of the court unnecessary and prescribing the manner of requesting and of objecting to such rulings.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Nice the House concurred in and adopted the Senate amendment to the bill, H. 56, said Senate amendment being as follows:

SENATE JUDICIARY COMMITTEE AMENDMENT TO H.B. No. 56

Amend Section 1 of H.B. No. 56 by striking the following: "but if a party has no opportunity to object to a ruling or order, the absence of an objection does not thereafter prejudice him."

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Cornett	Gilchrist	Huddleston
Adams	Cox	Gist	Hunt
Albea	Crook	Goodwyn	Jenkins
Ashworth	Davis	Gregory	Johnson (Elmore)
Bagley	Dawkins	Grouby	Johnson (Tallapoosa)
Bassett	deGraffenried	Hain	Kaul
Boyd	Dement	Hall	Kelly
Brannan	DeSear	Haltom	Killough
Branyon	Dickson	Hanby	Kirkham
Brewer	Edwards (Escambia)	Harrison	Lackey
Broadfoot	Edwards (Jefferson)	Harvey	Law
Brooks	Faulk	Hawkins	Lee (Barbour)
Brown (Lamar)	Ferrell	Hodges	Lee (Lawrence)
Brown (Lee)	Franklin	Holliman	Locke (Choctaw)
Callahan			

Locke (Perry)	Murphy	Reynolds	Stembridge
Love	Nettles	Richardson	Summerlin
McClendon	Nice	Selman	Taylor
McLendon	Nolen	Shumate	Thomas
McNider	Oakley	Simon	Tyson
Martin	Oden	Solomon	Vacca
Mathews	Perry	Speaks	Ward
Meeks	Pirkle	Steagall	Windle
Money			

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BILLS ON THIRD READING RESUMED

H. 79. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of the Town of Reform in Pickens County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Dement	Hunt	Nettles
Adams	DeSear	Jenkins	Nice
Albea	Dickson	Johnson (Elmore)	Nolen
Ashworth	Edwards (Escambia)	Kelly	Oakley
Bagley	Edwards (Jefferson)	Killough	Oden
Bassett	Ferrell	Kirkham	Perry
Boyd	Franklin	Lackey	Pirkle
Brannan	Gilchrist	Lee (Barbour)	Reynolds
Branyon	Gist	Lee (Lawrence)	Richardson
Brewer	Goodwyn	Locke (Choctaw)	Selman
Broadfoot	Gregory	Locke (Perry)	Shumate
Brooks	Grouby	Love	Simon
Brown (Lamar)	Hain	McClendon	Speaks
Brown (Lee)	Hall	McLendon	Summerlin
Callahan	Haltom	McNider	Taylor
Cornett	Hanby	Martin	Thomas
Cox	Harvey	Mathews	Tyson
Crook	Hawkins	Meeks	Vacca
Davis	Hodges	Money	Ward
Dawkins	Holliman	Murphy	Windle
deGraffenried	Huddleston		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 2. To extend, alter, rearrange and describe the boundary lines and corporate limits of the City of Alexander City, Tallapoosa County, Alabama.

Also:

S. 5. Relating to Macon County; amending Section 10 of Act No. 334, H. 826, enacted September 12, 1939 (Local Acts of 1939, p. 225), the Act which created and established the Board of Revenue.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:

By Mr. Van Antwerp:

S.J.R. 9—Whereas, agriculture is the cornerstone upon which the economy of this State is based, and

Whereas, the recent unseasonable cold wave caused damage to Alabama agriculture amounting to millions of dollars, and

Whereas, the farmers whose crops were damaged or destroyed by the cold are in immediate need of assistance; now therefore,

Be it resolved by the Senate of Alabama, the House of Representatives concurring, that the Legislature of Alabama does respectfully urge the appropriate federal authorities to provide immediate financial assistance to the farmers of this State who have suffered severe losses as a result of the recent unseasonably cold weather.

Be it resolved further, that a copy of this resolution be sent to each member of the Alabama delegation in the United States Congress, to the Secretary of the United States Department of Agriculture, and to the President of the United States, with the request that they do all in their power to provide our farmers such financial assistance during this emergency.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Murphy the rules were suspended and the House concurred in and adopted the S.J.R. 9 set out in the above and foregoing Message from the Senate.

UNFINISHED BUSINESS

The House proceeded to the consideration of the Unfinished Business, which was

H. 46. To amend Sections 347, 348, and 350 of Title 51, Code of Alabama (1940), which relate to the rate of the corporation franchise taxes and the distribution of the proceeds thereof.

Messrs. Hawkins and Dawkins offered the following amendment to the bill, H. 46, as amended:

AMENDMENT TO HOUSE BILL NO. 46 AS AMENDED

Amend House Bill No. 46 by striking therefrom Section 3 thereof and inserting in lieu thereof, the following:

"Section 3. Section 350 of Title 51, Code of Alabama (1940), is amended to read as follows:

"Remittance of the franchise tax required by the above sections shall be made to the Department of Revenue, at Montgomery, Alabama, with checks payable to the State Treasurer of Alabama. Two-twenty-fifths of the franchise tax collected shall be apportioned by the Department of Revenue to the several counties in which the corporation does business, in proportion to the amount of taxable property of such corporation in each of said counties; and the comptroller shall draw his warrant payable to the county treasurer of each county in such proportion, upon certificate of the Department of Revenue. One-fifth of the franchise tax collected shall be deposited in the State Treasury to the credit of the State Public Welfare Trust Fund and is hereby appropriated for old age assistance purposes only."

And the amendment was adopted.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Edwards ^(Escambia)	Kaul	Nolen
Adams	Edwards ^(Jefferson)	Kelly	Oakley
Albea	Faulk	Kendall	Oden
Ashworth	Ferrell	Killough	Perry
Bagley	Franklin	Kirkham	Pirkle
Bassett	Gilchrist	Lackey	Ramey
Boyd	Gist	Law	Reynolds
Brannan	Goodwyn	Lee ^(Barbour)	Richardson
Branyon	Gregory	Lee ^(Lawrence)	Roberts
Brassell	Grouby	Locke ^(Choctaw)	Selman
Brewer	Hain	Locke ^(Perry)	Shumate
Broadfoot	Hall	Love	Simon
Brooks	Haltom	McClendon	Speaks
Brown ^(Lamar)	Hanby	McLendon	Steagall
Burkhalter	Hare	McNider	Stembridge
Callahan	Harrison	Martin	Stokes
Cornett	Harvey	Mathews	Summerlin
Cox	Hawkins	Mathison	Taylor
Crook	Hodges	Meeks	Thomas
Davis	Holliman	Molette	Tyson
Dawkins	Huddleston	Money	Vacca
deGraftenried	Hunt	Murphy	Ward
Dement	Jenkins	Nettles	Windle
DeSear	Johnson ^(Elmore)	Nice	Wood
Dickson	Johnson ^(Tallapoosa)		

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And said bill, H. 46, as amended, was again read at length and passed.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Albea	Bagley	Boyd
Adams	Ashworth	Bassett	Brannan

Branyon	Franklin	Killough	Perry
Brasseli	Gilchrist	Kirkham	Pirkle
Brewer	Gist	Lackey	Reynolds
Broadfoot	Goodwyn	Law	Richardson
Brooks	Gregory	Lee (Barbour)	Roberts
Brown (Lamar)	Grouby	Lee (Lawrence)	Selman
Brown (Lee)	Hall	Locke (Choctaw)	Shumate
Burkhalter	Haltom	Locke (Perry)	Simon
Callahan	Hanby	Love	Solomon
Cornett	Hare	McClendon	Speaks
Cox	Harrison	McLendon	Steagall
Crook	Harvey	McNider	Stembridge
Davis	Hawkins	Martin	Stokes
Dawkins	Hodges	Mathews	Summerlin
deGraffenried	Huddleston	Mathison	Taylor
Dement	Hunt	Money	Thomas
DeSear	Jenkins	Murphy	Tyson
Dickson	Johnson (Elmore)	Nettles	Vacca
Edwards (Escambia)	Johnson (Tallapoosa)	Nice	Ward
Edwards (Jefferson)	Kaul	Nolen	Windle
Faulk	Kelly	Oakley	Wood
Ferrell	Kendall	Oden	

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RESOLUTIONS

The following resolutions were introduced:

By Mr. Brannan:

H. R. 24. Resolution requesting an advisory opinion of the Justices of the Supreme Court relative to the constitutionality of H. 85, a bill pending in the House of Representatives

RESOLVED by the House of Representatives, that the Justices of the Supreme Court of Alabama, or a majority of them, are respectfully requested to give this body their written opinions concerning the following important constitutional questions which have arisen in connection with H. 85, by Mr. Brannan, a bill pending before the Legislature relating to the establishment of a branch office by any savings and loan association in counties having a population of not less than 40,500 nor more than 45,000 inhabitants, according to the last or any subsequent decennial federal census. Said H. 85, without its title, is quoted in words and figures as follows:

"BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

"Section 1. This Act shall apply in all counties having a population of not less than 40,500 nor more than 45,000 inhabitants, according to the last or any subsequent federal decennial census."

"Section 2. Any savings and loan association created and operating under the authority of Chapter 11, Title 5, Code of Alabama (1940), as amended, may, with the approval of the Savings and Loans Commissioner, State Department of Commerce, open, establish, and maintain a branch office in any municipality within such county other than the municipality in which it is presently operating."

"Section 3. All laws or parts of laws which conflict with this Act are repealed.

"Section 4. This Act shall become effective immediately upon its

passage and approval by the Governor, or upon its otherwise becoming a law."

Question 1. Does the bill propose a general law within the meaning of Section 110 of the Constitution?

Question 2. Since the Act would be presently applicable to Baldwin County only, does the bill propose a local law within the meaning of Section 106 of the Constitution?

Question 3. Assuming that notice of intention to apply for its enactment was given as required by Section 106 of the Constitution, would the provisions of the Act be violative of subdivision 18 of Section 104 of the Constitution?

Question 4. Making the same assumption as in Question 3, would the Act be violative of Section 105 of the Constitution?

Question 5. Again making the same assumption as in Question 3, would the Act violate Section 240 of the Constitution?

RESOLVED FURTHER, that the Clerk of the House be directed to transmit, forthwith, seven true copies of this Resolution to the Clerk of the Supreme Court.

On motion of Mr. Brannan the rules were suspended and H.R. 24 was adopted.

Also:

By Mr. Faulk:

H.J.R. 25. WHEREAS, there is now pending in the Congress of the United States Senate Bill 205, which would provide funds to the several states for the development of public library services in rural areas without such services, or without adequate services, and

WHEREAS, the passage of the Library Services Bill would provide direct cultural and educational benefits of incalculable value to more than two-thirds of the people of this State, and

WHEREAS, the Legislature of Alabama is justly proud that the Library Services Bill was introduced in the United States Senate by Senator Lister Hill of this State, and that a companion measure was introduced in the United States House of Representatives by the Honorable Carl Elliott, also of this State; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING: That the Legislature of Alabama hereby commends Senator Lister Hill for his action in introducing said Senate Bill 205, and urges the immediate passage of the bill by the Congress of the United States.

BE IT FURTHER RESOLVED, That the Clerk of the House transmit a copy of this resolution to the Speaker of the United States House of Representatives, to the President of the United States Senate, and to each member of Congress from the State of Alabama.

On motion of Mr. Faulk the rules were suspended and H.J.R. 25 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill

and ordered same sent forthwith to the House without engrossment:

By Messrs. Engelhardt, Leonard, Flowers, Cooper, Skidmore and Davis (Lowndes):

S. 13. To fix the salary of the director of the Legislative Reference Service.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 13. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 22. To amend Section 255 of Title 13, Code of Alabama (1940), which relates to assistance for the circuit solicitor of the fifteenth judicial circuit.

J. E. SPEIGHT,
Secretary.

BILLS ON THIRD READING RESUMED

H. 47 (with amendment). To levy a license or privilege tax, in addition to all other taxes now imposed by law, on every person licensed under the provisions of Title 29 of the 1940 Code of Alabama who sells, stores, or receives for the purpose of distribution, malt or brewed beverages, and to provide how the tax shall be collected and distributed.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Committee Amendment to H.B. No. 47

Amend H.B. No. 47 by deleting the word "four" where it appears in line nine (9) of Section 1 thereof and substitute therefor the word "one."

And the amendment was adopted.

Yeas 97; Nays 1.

Yeas:

Mr. Speaker	Boyd	Brooks	Crook
Adams	Brannan	Brown (Lamar)	Davis
Albea	Branyon	Burkhalter	Dawkins
Ashworth	Brassell	Callahan	deGraffenried
Bagley	Brewer	Cornett	Dement
Bassett	Broadfoot	Cox	DeSear

Dickson	Hodges	McClendon	Reynolds
Edwards (Escambia)	Holliman	McKay	Richardson
Edwards (Jefferson)	Huddleston	McLendon	Roberts
Faulk	Hunt	Martin	Selman
Ferrell	Jenkins	Mathews	Shumate
Franklin	Johnson (Elmore)	Mathison	Simon
Gilchrist	Johnson (Tallapoosa)	Meeks	Speaks
Gist	Kaul	Molette	Steagall
Goodwyn	Kendall	Money	Stembridge
Gregory	Killough	Murphy	Stokes
Grouby	Kirkham	Nettles	Summerlin
Hain	Lackey	Nice	Taylor
Hall	Law	Nolen	Thomas
Haltom	Lee (Barbour)	Oden	Tyson
Hanby	Lee (Lawrence)	Payne	Vacca
Hare	Locke (Choctaw)	Perry	Ward
Harrison	Locke (Perry)	Pirkle	Windle
Harvey	Love	Ramey	Wood
Hawkins			

—97

Nays:

Mr. Oakley

—1

Mr. Hawkins offered the following amendment to the bill, H. 47, as amended:

AMENDMENT TO HOUSE BILL NO. 47, AS AMENDED

Amend House Bill No. 47 as amended by striking therefrom Section 2 thereof and inserting in lieu thereof, the following:

"Section 2. The tax herein levied shall be collected by the Alcoholic Beverage Control Board in the same manner as other taxes and licenses are collected by it. All the revenue derived from the operations of this Act shall be deposited in the State Treasury to the credit of the State Public Welfare Trust Fund and is hereby appropriated for old age assistance purposes only."

And the amendment was adopted.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Cox	Gregory	Johnson (Tallapoosa)
Adams	Crook	Grouby	Kaul
Albea	Davis	Hain	Kelly
Ashworth	Dawkins	Hall	Kendall
Bagley	deGraffenried	Haltom	Killough
Bassett	Dement	Hanby	Kirkham
Boyd	DeSear	Hare	Lackey
Brannan	Dickson	Harrison	Law
Branyon	Edwards (Escambia)	Harvey	Lee (Barbour)
Brassell	Edwards (Jefferson)	Hawkins	Lee (Lawrence)
Brewer	Faulk	Hodges	Locke (Choctaw)
Broadfoot	Franklin	Holliman	Locke (Perry)
Brooks	Ferrell	Huddleston	Love
Brown (Lamar)	Gilchrist	Hunt	McClendon
Burkhalter	Gist	Jenkins	McKay
Cornett	Goodwyn	Johnson (Elmore)	McLendon

McNider	Nice	Roberts	Summerlin
Martin	Nolen	Selman	Taylor
Mathews	Oakley	Shumate	Thomas
Mathison	Oden	Simon	Tyson
Meeks	Perry	Speaks	Vacca
Molette	Pirkle	Steagall	Ward
Money	Ramey	Stembridge	Windle
Murphy	Reynolds	Stokes	Wood
Nettles	Richardson		

—98

Mr. Grouby offered the following amendment to the bill, H. 47, as amended:

AMENDMENT TO H.B. NO. 47

Amend H.B. No. 47 by deleting the word "one" where it appears in line nine (9) of Section 1 thereof and substitute therefor the word "two."

On motion of Mr. Hawkins the amendment offered by Mr. Grouby was laid upon the table.

Yeas 67; Nays 34.

Yeas:

Messrs:	Dickson	Kaul	Nice
Adams	Edwards (Jefferson)	Kendall	Nolen
Bassett	Ferrell	Kirkham	Perry
Boyd	Franklin	Lackey	Ramey
Brannan	Gilchrist	Lee (Barbour)	Reynolds
Brassell	Goodwyn	Lee (Lawrence)	Richardson
Broadfoot	Hain	Locke (Choctaw)	Roberts
Brooks	Hall	Locke (Perry)	Simon
Brown (Lee)	Haltom	McClendon	Solomon
Burkhalter	Hanby	McLendon	Steagall
Cornett	Hare	Martin	Stembridge
Crook	Harrison	Mathews	Stokes
Davis	Harvey	Mathison	Thomas
Dawkins	Hawkins	Meeks	Tyson
deGraffenried	Holliman	Molette	Vacca
Dement	Huddleston	Money	Ward
DeSear	Johnson (Tallapoosa)	Murphy	Windle

—67

Nays:

Mr. Speaker	Edwards (Escambia)	Kelly	Payne
Albea	Faulk	Killough	Pirkle
Ashworth	Gist	Law	Selman
Bagley	Gregory	Love	Shumate
Branyon	Grouby	McKay	Speaks
Brewer	Hodges	Nettles	Summerlin
Brown (Lamar)	Hunt	Oakley	Taylor
Callahan	Jenkins	Oden	Wood
Cox	Johnson (Elmore)		

—34

And said bill, H. 47, as amended, was read a third time at length

and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 2.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kelly	Oden
Adams	Faulk	Kendall	Payne
Albea	Ferrell	Killough	Perry
Ashworth	Franklin	Kirkham	Pirkle
Bagley	Gilchrist	Lackey	Ramey
Bassett	Gist	Law	Reynolds
Boyd	Goodwyn	Lee (Barbour)	Richardson
Brannan	Gregory	Lee (Lawrence)	Roberts
Branyon	Grouby	Locke (Choctaw)	Selman
Brassell	Hain	Locke (Perry)	Shumate
Brewer	Hall	Love	Simon
Broadfoot	Haltom	McClendon	Solomon
Brooks	Hanby	McKay	Speaks
Brown (Lamar)	Hare	McLendon	Steagall
Burkhalter	Harrison	McNider	Stembridge
Callahan	Harvey	Martin	Stokes
Cornett	Hawkins	Mathews	Summerlin
Cox	Hodges	Mathison	Taylor
Crook	Holliman	Meeks	Thomas
Davis	Huddleston	Money	Tyson
Dawkins	Hunt	Murphy	Vacca
deGraffenried	Jenkins	Nettles	Ward
Dement	Johnson (Elmore)	Nice	Windle
DeSear	Johnson (Tallapoosa)	Nolen	Wood
Edwards (Escambia)	Kaul	Oakley	

—99

Nays:

Messrs: Dickson Molette

—2

And the bill:

H. 58 (with substitute): To amend Act No. 99, H. 237, approved June 3, 1943, entitled "An Act to further provide for the general revenue of the State of Alabama," which levies a tax on liquors (Acts of 1943 Regular Session, p. 104).

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

Substitute for H.B. 58:

**A BILL
TO BE ENTITLED
AN ACT**

To amend Act No. 99, H. 237, approved June 3, 1943, entitled "An Act to further provide for the general revenue of the State of Alabama," which levies a tax on liquors (Acts of 1943 Regular Session, p. 104).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Act No. 99, H. 237, approved June 3, 1943, entitled "An Act to further provide for the general revenue of the State of Alabama" (Acts of 1943 Regular Session, p. 104), is amended to read as follows:

"In addition to all other taxes of every kind now imposed by law, and in addition to any marked-up price authorized or required by law, there is hereby levied and shall be collected a tax at the rate of five per cent (5%) upon the selling price of all spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board. The tax hereby imposed shall be collected by the Board from the purchaser at the time the purchase price is paid. In computing the proceeds of this tax, the Alabama Alcoholic Beverage Control Board shall divide the total sales of spirituous and vinous liquors received by the Board by one hundred five per cent (105%) and deposit one hundred per cent (100%) into the State Treasury to the credit of the Alcoholic Beverage Control Fund and five per cent (5%) shall be deposited into the State Treasury to the credit of the Public Welfare Trust Fund which five per cent (5%) shall be used for old age assistance purposes only and is hereby appropriated therefor."

Section 2. This Act shall become effective on the first of the month commencing after the date of its enactment.

On motion of Mr. Haltom the substitute reported by the Standing Committee on Ways and Means was laid upon the table.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Dickson	Kaul	Oakley
Adams	Edwards (Escambia)	Kelly	Oden
Albea	Edwards (Jefferson)	Kendall	Payne
Ashworth	Faulk	Killough	Perry
Bagley	Ferrell	Kirkham	Pirkle
Bassett	Franklin	Lackey	Ramey
Boyd	Gilchrist	Law	Reynolds
Brannan	Gist	Lee (Barbour)	Richardson
Branyon	Goodwyn	Lee (Lawrence)	Roberts
Brassell	Grouby	Locke (Choctaw)	Selman
Brewer	Hain	Love	Shumate
Broadfoot	Hall	McClendon	Simon
Brooks	Haltom	McKay	Solomon
Brown (Lamar)	Hanby	McLendon	Speaks
Brown (Lee)	Hare	McNider	Steagall
Burkhalter	Harrison	Martin	Stembridge
Callahan	Harvey	Mathews	Stokes
Cornett	Hawkins	Mathison	Summerlin
Cox	Hodges	Meeks	Taylor
Crook	Holliman	Molette	Thomas
Davis	Huddleston	Money	Tyson
Dawkins	Hunt	Murphy	Vacca
deGraffenried	Jenkins	Nettles	Ward
Dement	Johnson (Elmore)	Nice	Windle
DeSear	Johnson (Tallapoosa)	Nolen	Wood

—100

Messrs. Haltom and Broadfoot offered the following substitute for the bill, H. 58:

Substitute for H.B. 58

**A BILL
TO BE ENTITLED
AN ACT**

To further provide for the revenue of the State of Alabama and to appropriate same to the Public Welfare Trust Fund of the State of Alabama for old age assistance purposes.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In addition to all other taxes of every kind now imposed by law, and in addition to any marked-up price authorized or required by law, there is hereby levied and shall be collected a tax at the rate of five per cent (5%) upon the selling price of all spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board. The tax hereby imposed shall be collected by the Board from the purchaser at the time the purchase price is paid. In computing the proceeds of this tax, the board shall divide the total sales of spirituous and vinous liquors made by it by a factor of 105 and multiply the quotient by 100 and by 5. An amount equal to the quotient multiplied by 100 shall be deposited into the State treasury to the credit of the Alcoholic Beverage Control fund; and an amount equal to the quotient multiplied by 5 shall be deposited into the State Treasury to the credit of the Public Welfare Trust Fund and shall be used for old age assistance purposes only, and is hereby appropriated therefor.

Section 2. That this Act shall become effective on the first day of the second month after its passage and approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 99; Nays 1.

Yeas:

Mr. Speaker	DeSear	Johnson ^(Elmore)	Money
Adams	Dickson	Johnson ^(Tallapoosa)	Murphy
Ashworth	Edwards ^(Escambia)	Kaul	Nettles
Bagley	Edwards ^(Jefferson)	Kelly	Nice
Bassett	Ferrell	Kendall	Nolen
Boyd	Franklin	Killough	Oakley
Bradford	Gilchrist	Kirkham	Oden
Brannan	Gist	Lackey	Payne
Branyon	Goodwyn	Law	Perry
Brassell	Gregory	Lee ^(Barbour)	Pirkle
Brewer	Grouby	Lee ^(Lawrence)	Ramey
Broadfoot	Hall	Locke ^(Choctaw)	Reynolds
Brooks	Haltom	Locke ^(Perry)	Richardson
Brown ^(Lamar)	Hanby	Love	Roberts
Burkhalter	Hare	McClendon	Selman
Callahan	Harrison	McKay	Shumate
Cornett	Harvey	McLendon	Simon
Cox	Hawkins	McNider	Solomon
Crook	Hodges	Martin	Speaks
Davis	Holliman	Mathews	Steagall
Dawkins	Huddleston	Mathison	Stembridge
deGraffenried	Hunt	Meeks	Stokes
Dement	Jenkins	Molette	Summerlin

Taylor	Tyson	Ward	Wood
Thomas	Vacca	Windle	

—99

Nays: Mr. Hain.

—1

And said bill, H. 58, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 2.

Yeas:

Mr. Speaker	Edwards ^(Escambia)	Kelly	Oden
Adams	Edwards ^(Jefferson)	Kendall	Payne
Ashworth	Faulk	Killough	Perry
Bagley	Ferrell	Kirkham	Pirkle
Bassett	Franklin	Lackey	Ramey
Boyd	Gilchrist	Law	Reynolds
Bradford	Gist	Lee ^(Barbour)	Richardson
Brannan	Goodwyn	Lee ^(Lawrence)	Roberts
Branyon	Gregory	Locke ^(Choctaw)	Selman
Brassell	Grouby	Locke ^(Perry)	Shumate
Brewer	Hall	Love	Simon
Broadfoot	Haltom	McClendon	Solomon
Brooks	Hanby	McKay	Speaks
Brown ^(Lamar)	Hare	McLendon	Steagall
Burkhalter	Harrison	McNider	Stembridge
Callahan	Harvey	Martin	Stokes
Cornett	Hawkins	Mathews	Summerlin
Cox	Hodges	Mathison	Taylor
Crook	Holliman	Meeks	Thomas
Davis	Huddleston	Money	Tyson
Dawkins	Hunt	Murphy	Vacca
deGraffenried	Jenkins	Nettles	Ward
Dement	Johnson ^(Elmore)	Nice	Windle
DeSear	Johnson ^(Tallapoosa)	Nolen	Wood
Dickson	Kaul	Oakley	

—99

Nays:

Messrs:	Hain	Molette
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—2

And the bill:

H. 71 (with substitute): To amend Section 812 of Title 51 of the 1940 Code of Alabama, which Section relates to the definition of insurance companies, by said amendment including fraternal benefit societies and associations and reciprocal exchanges; to amend Section 1 and Section 2 of Act 156 of the Alabama Legislature of 1945, approved June 23, 1945; by said amendment changing the rate of premium tax to be paid annually by foreign and domestic insurance companies and providing certain credits and deductions based upon investment of the assets of the foreign insurance companies in Alabama; making said premium tax on foreign and domestic companies payable in the year One Thousand Nine Hundred and Fifty-Six upon the basis of premiums collected dur-

ing the preceding year; to establish the Department of Insurance Fund for the operation and maintenance of the Department of Insurance; and to repeal Sections 818, 827, 828 and 829 of Title 51 of the 1940 Code, which Sections relate to taxes and fees paid by reciprocal exchanges and fire marshal tax on insurance companies.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

Ways and Means

SUBSTITUTE FOR H. 71

**A BILL
TO BE ENTITLED
AN ACT**

To amend Title 51, Section 812, 815, 816, and 819, Code of Alabama 1940, as amended: To repeal Title 51, Sections 818, 827, 828, and 829, Code of Alabama 1940, which relate to premium tax on domestic and foreign insurance companies: and to provide an effective date for this Act and penalties for non-compliance.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 812 of Title 51, Code of Alabama 1940 be and the same is hereby amended to read as follows:

"Section 812. Definition.—As used in this article, unless the context or subject matter requires otherwise, the following words or terms have the meaning herein ascribed to them, respectively:

"(1) The term 'insurance company,' as used in this article, shall include fire, life, benefit, accident, indemnity, fidelity, surety, guaranty, employer's liability, casualty, plate glass, burglary, automobile, tornado, cyclone, mutual aid or industrial company or association, reciprocal exchanges, or fraternal benefit societies or associations, or any other insurance company or association or society charging a premium for contracts entered into by such companies, associations, or societies.

"(2) The term 'foreign insurance company,' as used in this article, shall mean and include any insurance company organized under the laws of any country or of any state of the United States other than the State of Alabama.

"(3) The term 'domestic insurance company,' as used in this article, shall mean and include any insurance company organized under the laws of the State of Alabama.

"(4) The term 'premiums,' as used in this article, shall include all amounts received in cash or otherwise on risks in this State as consideration for insurance contracts, less: (a) insurance premiums returned, (b) reinsurance premiums from companies authorized to do business in Alabama and subject to the premium tax provided for in this article, (c) and dividends paid, applied, or left with the company to accumulate at interest.

"(5) The term 'annuity considerations,' as used in this article, shall mean all sums received as consideration for annuity contracts."

Section 2. That Section 815 of Title 51, Code of Alabama 1940, be amended to read as follows:

"Section 815. Statement required to be filed.—Every insurance company desiring to engage in business in this State, in addition to complying with the requirements of this article, shall within the first sixty days of the calendar year, file with the Superintendent of Insurance a statement which shall show that the insurance company has complied with all the requirements of the law to authorize it to do business in this state, and shall also show the total amount of premiums and annuity considerations received by it for business done in this state for the preceding calendar year ending December thirty-first. Such statement shall be verified by the affidavit of an officer of the company having knowledge of the facts, and such company shall at the same time pay to the Superintendent of Insurance the amounts set out in this article."

Section 3. That Section 816 of Title 51, Code of Alabama 1940, as amended, be and the same is hereby amended to read as follows:

"Section 816. Amount of Tax on Foreign Companies.—(a) Every foreign insurance company shall pay an annual premium tax of one per cent (1%) on annuity considerations, and an annual premium tax of three per cent (3%) of any other premiums received by such foreign insurance company for business done in this State, whether the same are actually received by said company in this State or elsewhere, during the year ending the thirty-first of December preceding. The rate of tax on premiums shall be subject to reduction as hereinafter provided, and there shall be credited upon the tax so determined the full amount of all ad valorem taxes paid by the company for the tax year next preceding the filing of the return required hereby upon any real estate and the improvements thereon in the State of Alabama owned and at least fifty per cent (50%) occupied by the company for the full period of such tax year. Any foreign insurance company beginning business in the State of Alabama after January 1 of any calendar year shall, on or before the first day of March of the year succeeding the year of its entry, remit, with its statement to the Superintendent of Insurance, the taxes as required by this article on business written in Alabama for the preceding calendar year or fraction thereof in which it began business as a tax for such first year or fractional year; provided, that after any such insurance company has been operating in this State for one complete calendar year, it shall compute its business done in this State during said year and upon this basis it shall pay its taxes for that and the succeeding year. Each succeeding year the tax shall be based and paid upon business done in Alabama for the preceding calendar year, it being the intent and meaning of this article that such insurance companies shall pay their premium taxes on March 1 for such current year, except that the premium taxes for the first and second year shall be paid in the manner herein specifically provided: The premium taxes herein collected shall be deposited in the State Treasury to the credit of the General Fund.

"(b) If the annual statement or other report required to be made by such foreign insurance company to the Alabama Department of Insurance, whose premiums are taxed under this article, for the preceding calendar year shows such company to have invested at the close of said year in Alabama investments, as hereinafter defined, the requisite percentages of its total admitted assets, the rate of premium tax hereby levied on premiums shall be that shown in the following schedule. In determining such total admitted assets, there shall be deducted that percentage of such company's investments held as of December 31 in direct obligations of the United States of America as the total premiums collected and paid by the citizens of Alabama relate to the total premiums collected by the company:

Percentage of Company's Admitted Assets Invested In Alabama Investments	Applicable Rate of Premium Tax
Less than 1%	3%
1% and Above But Less Than 2%	2.9%
2% and Above But Less Than 3%	2.8%
3% and Above But Less Than 4%	2.7%
4% and Above But Less Than 5%	2.6%
5% and Above But Less Than 6%	2.5%
6% and Above But Less Than 7%	2.4%
7% and Above But Less Than 8%	2.3%
8% and Above But Less Than 9%	2.2%
9% and Above But Less Than 10%	2.1%
10% and Above	2%

“(c) Alabama Investment, as used in this Section, shall mean any of the following investments: (1) Real estate in this State; (2) Bonds or interest-bearing warrants or other evidences of indebtedness of the State of Alabama, or of any county, city, town, school district, state educational institution, municipality or other subdivision of the State, or of any duly authorized agency, board or authority of the State of Alabama or of any political subdivision thereof; whether such agency, board or authority now exists or is hereafter created; (3) Stocks, bonds, or other evidences of indebtedness of any housing or redevelopment authority organized under the Housing Authorities Law or Redevelopment Law of the State of Alabama, as from time to time established and amended; (4) Notes or bonds secured by mortgages or other liens on real estate or on leasehold interests in real estate in the State of Alabama; (5) Stocks, bonds, debentures, notes or other evidences of indebtedness of any corporation organized under the laws of the State of Alabama; (6) Notes, debentures, or other evidences of indebtedness of any business operated as a sole proprietorship, partnership, or other legal entity, having its principal office and place of business in the State of Alabama; (7) Notes, bonds or other evidences of indebtedness secured by mortgage or other lien upon real estate situated in the State of Alabama and insured or guaranteed in whole or in part by the United States or any agency or instrumentality thereof, together with any bonds, debentures or other evidences of indebtedness of the United States or any agency or instrumentality thereof received and retained in whole or partial settlement of any such insurance or guaranty; (8) Collateral loans to Alabama residents or to others where at least one-half of the value of the collateral so pledged constitutes an Alabama Investment as defined herein; (9) Cash deposits in regularly established national or state banks in this State on the basis of the average monthly deposits throughout the calendar year; (10) Loans secured by policies on the lives of residents of the State of Alabama; (11) Share or share accounts of building and loan associations organized under the laws of the State of Alabama or in the shares or share accounts of Federal savings and loan associations having their principal office in the State of Alabama; (12) Stocks, bonds, notes, debentures or other evidences of indebtedness of any corporation organized under the laws of any other state of the United States to the extent that the assets of such corporation located in the State of Alabama bear to the total assets of the corporation issuing such stocks, bonds, notes, or other evidences of indebtedness; (13) Stocks, bonds, notes or other evidences of indebtedness issued by railroad companies, public carriers or transportation companies, to the extent that its trackage or mileage in Alabama bears to the total trackage or mileage of such railroad, public carrier, or other transportation company; (14) That percentage of such company's in-

vestments in stocks, bonds, notes or other evidences of indebtedness of any telegraph, telephone, electric power company, or other public utility to the extent that the revenue of any such company from Alabama bears to the total revenue of such telegraph, telephone, electric power company, or other public utility."

Section 4. That Section 819 of Title 51, Code of Alabama 1940, as amended, be and the same is hereby amended to read as follows:

"Section 819. Statement Required to be Filed and Tax to be Paid by Domestic Companies.—Every domestic insurance company engaging in business in this State, in addition to complying with the other requirements of law, shall, within the first sixty days of the calendar year, file with the Superintendent of Insurance a statement which shall show that the company has complied with all the requirements of law to authorize it to do business as an insurance company in this State and shall also show the total amount of premiums received by it for business done in this State for the preceding calendar year ending December thirty-first. Such statement shall be verified by affidavit of an officer of the company having knowledge of the facts. Every domestic insurance company shall pay to the Superintendent of Insurance on or before the first day of March, 1956, and annually thereafter, a premium tax equal to three-tenths ($3/10$) of one per cent (1%) of the premiums and annuity considerations received by such company for business done in this state during the preceding calendar year ending the thirty-first day of December, whether the same are actually received by said company in this state or elsewhere. The premium taxes herein collected shall be deposited in the State Treasury to the credit of the General Fund. Any such tax so determined shall be subject to credit and deduction of the full amount of all ad valorem taxes paid by the company for the tax year preceding the filing of the return required hereby upon any building and real estate in the State of Alabama owned and occupied in whole or in part by the company for the full period of such tax year as its principal office in the State of Alabama. Any domestic insurance company beginning business after January first of any calendar year, on or before March first of the year following the year beginning business, shall remit with its statement to the Superintendent of Insurance the taxes as required by this section on business written in Alabama for the preceding calendar year or fraction thereof in which it began business as a tax for such first year or fractional year; provided, that after any domestic insurance company has been operating in this state for one complete calendar year, it shall compute its business done in this state during said year, and upon this basis it shall pay its taxes for that and the succeeding year. Each succeeding year the tax shall be based and paid on business done in Alabama for the preceding calendar year as herein provided, it being the meaning and intent of this section that domestic insurance companies shall pay their premium taxes on March first for such current year, except that premium taxes for the first and second year shall be paid in the manner herein specifically provided."

Section 5. Every insurance company failing or neglecting to comply with the provisions of this Act shall be subject to a penalty of not less than One Hundred Dollars (\$100.00) nor exceeding Five Hundred Dollars (\$500.00), recoverable in an action brought by the Attorney General for the Superintendent of Insurance, and upon any such violation, the Superintendent of Insurance may revoke the license or certificate of authority of such company or refuse to issue a license or certificate of authority to such company for the purpose of doing an insurance business in this State, and the penalties recovered under the provisions of

this Section shall be paid into the State Treasury to the credit of the General Fund.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the part or parts which remain.

Section 7. All laws or parts of laws in conflict herewith are hereby repealed and Title 51, Sections 818, 827, 828 and 829, Code of Alabama 1940, are hereby expressly repealed.

Section 8. This Act shall become effective upon the first day of January after its passage and approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 97; Nays 5.

Yeas:

Mr. Speaker	Faulk	Kendall	Oden
Adams	Ferrell	Killough	Payne
Ashworth	Franklin	Lackey	Perry
Bagley	Gilchrist	Law	Pirkle
Bassett	Gist	Lee (Barbour)	Ramey
Boyd	Goodwyn	Lee (Lawrence)	Reynolds
Bradford	Gregory	Locke (Choctaw)	Richardson
Brannan	Grouby	Locke (Perry)	Roberts
Branyon	Hain	Love	Selman
Brassell	Hall	McClendon	Shumate
Broadfoot	Haltom	McKay	Simon
Brooks	Hanby	McLendon	Solomon
Brown (Lamar)	Hare	McNider	Speaks
Burkhalter	Harrison	Martin	Steagall
Callahan	Harvey	Mathews	Stembridge
Cornett	Hawkins	Mathison	Stokes
Cox	Hodges	Meeks	Summerlin
Crook	Huddleston	Mollette	Taylor
Davis	Hunt	Money	Thomas
Dawkins	Jenkins	Murphy	Tyson
deGraffenried	Johnson (Elmore)	Nettles	Vacca
Dement	Johnson (Tallapoosa)	Nice	Ward
DeSear	Kaul	Nolen	Windle
Edwards (Escambia)	Kelly	Oakley	Wood
Edwards (Jefferson)			

—97

Nays:

Messrs:	Brewer	Holliman	Kirkham
Albea	Dickson		

—5

Messrs. Tyson, Albea, Grouby, Nolen, Murphy, Killough, Locke (Choctaw), Broadfoot, Haltom, Edwards (Jefferson) and Gilchrist offered the following amendment to the bill, H. 71, as amended:

AMENDMENT OF H. 71, AS AMENDED

Amend Section 1 of the bill by striking out the words "or fraternal

benefit societies or associations" appearing in paragraph (1).

On motion of Mr. Dawkins the amendment offered by Messrs. Tyson, Albea, Grouby, Nolen, Murphy, Killough, Locke (Choctaw), Broadfoot, Haltom, Edwards (Jefferson) and Gilchrist was laid upon the table.

Messrs. Meeks, Nice, Vacca, Lackey, Kaul, Edwards (Jefferson) and Perry offered the following amendment to the bill, H. 71, as amended:

Amend Section 1 of Substitute for House Bill No. 71 by adding thereto at the end of (1) the following:

"Provided however the exemptions granted in Title 28, Chapter 9, Code of Alabama 1940, are applicable hereto and not included in this definition for societies or associations for which a license is not required to do business."

And the amendment was adopted.

Yeas 92; Nays 8.

Yeas:

Mr. Speaker	Dickson	Kaul	Oakley
Adams	Edwards (Escambia)	Kendall	Oden
Albea	Edwards (Jefferson)	Killough	Payne
Ashworth	Faulk	Lackey	Perry
Bagley	Ferrell	Law	Pirkle
Bassett	Franklin	Lee (Barbour)	Ramey
Boyd	Gilchrist	Lee (Lawrence)	Reynolds
Bradford	Gist	Locke (Choctaw)	Richardson
Brannan	Goodwyn	Locke (Perry)	Selman
Branyon	Hain	Love	Simon
Brassell	Hall	McClendon	Solomon
Brewer	Haltom	McKay	Speaks
Broadfoot	Hanby	McLendon	Steagall
Brooks	Hare	McNider	Stembridge
Burkhalter	Harrison	Mathews	Stokes
Callahan	Harvey	Mathison	Summerlin
Cornett	Hawkins	Meeks	Taylor
Cox	Hodges	Molette	Thomas
Crook	Huddleston	Money	Tyson
Dawkins	Hunt	Murphy	Vacca
deGraffenried	Jenkins	Nettles	Ward
Dement	Johnson (Elmore)	Nice	Windle
DeSear	Johnson (Tallapoosa)	Nolen	Wood

—92

Nays:

Messrs:	Gregory	Holliman	Kirkham
Brown (Lamar)	Grouby	Kelly	Shumate
Davis			

—8

And said bill, H. 71, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 23.

Yeas:

Mr. Speaker	Ferrell	Kendall	Ramey
Adams	Gilchrist	Lackey	Reynolds
Albea	Gist	Law	Richardson
Bassett	Goodwyn	Lee (Barbour)	Roberts
Brannan	Gregory	Lee (Lawrence)	Selman
Branyon	Grouby	Love	Shumate
Brassell	Hall	McClendon	Simon
Broadfoot	Haltom	McNider	Solomon
Brooks	Hanby	Martin	Speaks
Brown (Lamar)	Hare	Mathews	Steagall
Burkhalter	Harrison	Mathison	Stembridge
Callahan	Hawkins	Meeks	Stokes
Cox	Hodges	Money	Summerlin
Davis	Huddleston	Murphy	Taylor
Dawkins	Hunt	Nice	Thomas
deGraffenried	Jenkins	Oden	Tyson
Dement	Johnson (Elmore)	Payne	Vacca
Edwards (Escambia)	Johnson (Tallapoosa)	Perry	Windle
Edwards (Jefferson)	Kelly	Pirkle	Wood
Faulk	Kaul		

—78

Nays:

Messrs:	Cornett	Harvey	McKay
Ashworth	Crook	Holliman	McLendon
Bagley	DeSear	Killough	Molette
Boyd	Dickson	Kirkham	Nettles
Bradford	Franklin	Locke (Choctaw)	Nolen
Brewer	Hain	Locke (Perry)	Oakley

—23

RESOLUTIONS

The following resolution was introduced:

By Mr. Solomon:

H.J.R. 26. A Resolution Relating to a Study of Ways and Means to Tighten the Administration of State Tax Laws to Prevent Evasions.

WHEREAS many persons subject to state income taxes file federal returns, but fail or refuse to file state returns; state returns are checked against federal returns, but the process is slow, cumbersome, and costly; much desperately needed revenue is lost to the State because the machinery for eliminating loopholes and providing for strict enforcement of state income tax laws and other State Tax Laws is lacking; therefore,

BE IT RESOLVED By the House, The Senate concurring, that the Commissioner of the State Department of Revenue be directed to make a study of ways and means of tightening the administration of the income tax laws and other State Tax Laws to prevent evasions, and to report his findings, conclusions, and recommendations to the House Ways and Means Committee and the Senate Committee on Finance and Taxation within the first ten legislative days of the next regular session.

Resolved further, that the Commissioner of Revenue be directed to furnish a copy of his report to each member of the Legislature.

On motion of Mr. Solomon the rules were suspended and H.J.R. 26 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 36. To regulate the sale of eggs in Alabama by requiring accurate labeling of containers in which eggs are sold; to require accurate labeling of such egg containers with respect to the grade and weight classes of eggs contained therein and to authorize the State Board of Agriculture and Industries to establish reasonable standards, grades of quality and weight classes for the sale of eggs; to levy and collect an inspection fee upon the sale of eggs and to require egg dealers to obtain a permit from the Commissioner of Agriculture and Industries before engaging in the sale of eggs; to make an appropriation to defray costs and expenses incident to the administration and enforcement of this Act; to authorize the adoption of rules and regulations for the execution of this Act and to provide exemptions of the sale of eggs from this Act; prescribe a penalty for violations together with other administrative and enforcement provisions; to repeal Article 15 of Title 2, Code of Alabama of 1940.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Kendall the House concurred in and adopted the Senate amendment to the bill, H. 36, said Senate amendment being as follows:

An amendment to H.B. 36.

Amend Section 4, H.B. 36 by striking out or deleting therefrom the words "cases of" where such words appear in the first sentence of said section.

An amendment to H.B. 36.

Amend House Bill 36 by striking out all of Section 16 and substitute therefor the following Section:

Section 16. LAWS REPEALED. The provisions of this Act are cumulative and shall not be construed to repeal any laws or parts of laws not in conflict herewith, but Article 15, (Sections 274-281) of Title 2 of the Code of Alabama of 1940 is hereby expressly repealed.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Brannan	Callahan	Edwards (Escambia)
Adams	Branyon	Cornett	Edwards (Jefferson)
Albea	Brassell	Cox	Ferrell
Ashworth	Brewer	Crook	Franklin
Bagley	Broadfoot	Davis	Gilchrist
Bassett	Brown (Lamar)	deGraffenried	Gist
Boyd	Brown (Lee)	Dement	Goodwyn
Bradford	Burkhalter	DeSear	Gregory

Grouby	Killough	Molette	Selman
Hain	Kirkham	Money	Shumate
Hall	Lackey	Murphy	Simon
Haltom	Lee (Barbour)	Nettles	Solomon
Hare	Lee (Lawrence)	Nice	Speaks
Harvey	Locke (Choctaw)	Oakley	Steagall
Hawkins	Love	Oden	Stembridge
Hodges	McClendon	Payne	Summerlin
Holliman	McKay	Perry	Taylor
Huddleston	McLendon	Pirkle	Thomas
Hunt	McNider	Ramey	Tyson
Johnson (Tallapoosa)	Mathews	Reynolds	Vacca
Kelly	Mathison	Richardson	Ward
Kendall	Meeks	Roberts	Windle

—88

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 18. To provide for appointment of official court reporters of the circuit courts in those circuits which are now, or which may hereafter, be composed of only one county and having not less than four nor more than nine circuit judges; to provide for their qualifications, to fix their compensation, to define their duties and provide for the appointment of special reporters in such cases; and to repeal all laws which may be in conflict herewith.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 25 Commending Senator Lister Hill for his action in introducing Senate Bill 205, and urging the immediate passage of the bill by the Congress of the United States.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 61. To apply in all counties having a population of not less than 47,500 nor more than 52,500 inhabitants, according to the last or any subsequent federal decennial census; providing for the appointment of a deputy clerk of the circuit court of such counties; prescribing the duties, powers, and authority of such deputy, fixing his compensation and designating the method of payment and the fund from which such compensation shall be paid.

Also:

H. 62. To apply in all counties having a population of not less than 47,500 nor more than 52,500, according to the last or any subsequent federal decennial census; regulating further the office of county solicitor in such counties; imposing extra, new, and additional duties upon such officer, and providing further for his compensation.

Also:

H. 69. Relating to the compensation of judges of the circuit court of counties having a population of not less than 225,000 inhabitants nor more than 400,000 inhabitants, according to the last or any subsequent decennial federal census, who are commissioned supernumerary circuit judges of this State; providing for a county supplement to the salaries paid such judges by the State.

Also:

H. 70. Relating to counties having a population of not less than 94,000 people, nor more than 134,000 people, according to the last Federal Decennial Census, or any subsequent Federal Decennial Census; requiring the Court of County Commissioners, Board of Revenue, or like governing bodies of said counties to cover, or cause to be covered certain employees of said counties, or any agency or instrumentality thereof, including the employees of elected officials, under the Workmen's Compensation Act.

J. E. SPEIGHT,
Secretary

MOTION IN WRITING

Messrs. Payne and McKay offered the following Motion in Writing:

We desire that the Journals of the House show that we were called out of the House at the time House Bill 46 was up for passage. Had we been present we would have voted "nay" on the final passage.

And the motion was adopted.

BILLS ON THIRD READING RESUMED

S. 4. To repeal Act No. 694, S. 580, approved September 5, 1951, entitled "An Act Relating to public welfare; providing for monetary contributions to the support of certain needy persons by certain relatives thereof; prescribing the procedure for obtaining such contributions; making needy persons with certain relatives liable to contribute to their support ineligible to receive public assistance; imposing additional duties on county departments of public welfare, county solicitors and deputy circuit solicitors in connection with the administration of the Act; and authorizing the Commissioner of Public Welfare to promulgate rules and regulations for carrying out the purposes of the Act" (Acts of 1950-51, Vol. II, p. 1195), which is known as "The Relatives Responsibility Act."

Was read a third time at length and passed.

Yeas 80; Nays 5.

Yeas:

Mr. Speaker	Bradford	Ashworth	Brewer
Adams	Branyon	Bagley	Broadfoot
Albea	Brassell	Boyd	Brown (Lamar)

Burkhalter	Hall	Lackey	Oakley
Callahan	Haltom	Law	Oden
Cornett	Hanby	Lee (Barbour)	Payne
Cox	Hare	Lee (Lawrence)	Reynolds
Davis	Harrison	Locke (Choctaw)	Selman
Dawkins	Harvey	Locke (Perry)	Shumate
deGraffenried	Hawkins	Love	Simon
Dement	Hodges	McClendon	Solomon
DeSear	Holliman	McKay	Speaks
Edwards (Escambia)	Huddleston	McNider	Steagall
Ferrell	Hunt	Martin	Stembridge
Franklin	Jenkins	Mathews	Stokes
Gist	Johnson (Elmore)	Mathison	Taylor
Goodwyn	Johnson (Tallapoosa)	Money	Thomas
Gregory	Kelly	Murphy	Tyson
Grouby	Killough	Nettles	Vacca
Hain	Kirkham	Nice	Windle

—80

Nays:

Messrs:	Crook	McLendon	Roberts
Brown (Lee)	Gilchrist		

—5

And the bill:

H. 65. To create and establish a board of directors to manage and control the Alabama School of Trades created by, or provided for in Chapter 22 of Title 52, Code of Alabama (1940), as amended; abolishing the board of trustees created by an act approved August 12, 1947.

Was taken up.

On motion of Mr. Hawkins, the motion of Mr. McNider to postpone further consideration of the bill, H. 65, until the next legislative day was laid upon the table.

And the bill, H. 65, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 23.

Yeas:

Mr. Speaker	Dawkins	Hodges	Oden
Adams	deGraffenried	Jenkins	Payne
Albea	Dement	Johnson (Tallapoosa)	Ramey
Ashworth	Edwards (Escambia)	Kelly	Reynolds
Bagley	Edwards (Jefferson)	Kendall	Roberts
Boyd	Ferrell	Lackey	Selman
Branyon	Franklin	Law	Shumate
Brassell	Gist	Lee (Lawrence)	Simon
Brewer	Goodwyn	Love	Speaks
Broadfoot	Gregory	McKay	Steagall
Brooks	Grouby	Martin	Stembridge
Brown (Lamar)	Hall	Mathews	Summerlin
Burkhalter	Hanby	Mathison	Vacca
Callahan	Hare	Murphy	Ward
Cornett	Harrison	Nice	Windle
Cox	Hawkins	Nolen	Wood
Davis			

—65

Nays:

Messrs:	Gilchrist	Locke (Choctaw)	Oakley
Bradford	Haltom	Locke (Perry)	Perry
Brannan	Holliman	McLendon	Richardson
Brown (Lee)	Kaul	McNider	Stokes
Crook	Killough	Money	Taylor
DeSear	Kirkham	Nettles	Tyson

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And the bill:

H. 66. To amend further Section 457 of Title 51, Code of Alabama, 1940, as amended, which relates to privilege license taxes on persons engaged in the business of selling or installing air-conditioning plants and equipment; and to provide that this Act shall be retroactive.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 1.

Yeas:

Mr. Speaker	DeSear	Johnson (Tallapoosa)	Oakley
Adams	Edwards (Escambia)	Kaul	Oden
Albea	Edwards (Jefferson)	Kelly	Payne
Ashworth	Ferrell	Kendall	Perry
Bagley	Franklin	Killough	Pirkle
Boyd	Gilchrist	Lackey	Ramey
Bradford	Gist	Law	Reynolds
Brannan	Goodwyn	Lee (Barbour)	Richardson
Branyon	Gregory	Lee (Lawrence)	Roberts
Brassell	Grouby	Locke (Choctaw)	Selman
Brewer	Hain	Locke (Perry)	Shumate
Brooks	Hall	Love	Simon
Brown (Lamar)	Haltom	McKay	Solomon
Brown (Lee)	Hanby	McLendon	Speaks
Burkhalter	Hare	McNider	Steagall
Callahan	Harrison	Martin	Stembridge
Cornett	Harvey	Mathews	Stokes
Cox	Hawkins	Mathison	Taylor
Crook	Hodges	Meeks	Thomas
Davis	Huddleston	Money	Tyson
Dawkins	Hunt	Murphy	Vacca
deGraffenried	Jenkins	Nettles	Windle
Dement	Johnson (Elmore)	Nolen	Wood

—92

Nays:

Mr. Kirkham

—1

And the bill:

H. 67. To provide an additional judge for the Sixteenth Judicial Circuit of Alabama.

Was taken up.

Mr. Hawkins offered the following amendment to the bill, H. 67:

Amendment to H.B. 67.

Amend House Bill 67 by adding Section 2A thereto to read as follows:

"Section 2A. The additional judge herein provided for, together with the two judges heretofore provided for, shall each have the authority to appoint a court reporter in the same manner, to receive the same compensation and to perform the same duties, as the court reporters heretofore provided for the Sixteenth Judicial Circuit."

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Dement	Johnson (Tallapoosa)	Oakley
Adams	Dickson	Kelly	Oden
Albea	Edwards (Escambia)	Kendall	Payne
Ashworth	Edwards (Jefferson)	Killough	Pirkle
Bagley	Ferrell	Kirkham	Reynolds
Boyd	Gilchrist	Lackey	Richardson
Bradford	Gist	Law	Roberts
Brannan	Goodwyn	Lee (Barbour)	Selman
Branyon	Gregory	Lee (Lawrence)	Shumate
Brassell	Grouby	Locke (Choctaw)	Simon
Brewer	Hain	Locke (Perry)	Solomon
Broadfoot	Hall	Love	Speaks
Brooks	Haltom	McKay	Steagall
Brown (Lamar)	Hanby	McLendon	Stembridge
Brown (Lee)	Hare	McNider	Stokes
Burkhalter	Harrison	Martin	Taylor
Callahan	Hawkins	Mathews	Thomas
Cornett	Hodges	Mathison	Tyson
Cox	Huddleston	Murphy	Vacca
Crook	Hunt	Nettles	Windle
Davis	Jenkins	Nice	Wood
deGraffenried	Johnson (Elmore)	Nolen	

—87

And said bill, H. 67, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Broadfoot	Dickson	Hall
Adams	Brooks	Edwards (Escambia)	Haltom
Albea	Brown (Lamar)	Edwards (Jefferson)	Hanby
Ashworth	Brown (Lee)	Ferrell	Hare
Bagley	Burkhalter	Franklin	Harrison
Boyd	Callahan	Gilchrist	Hawkins
Bradford	Cornett	Gist	Hodges
Brannan	Cox	Goodwyn	Holliman
Branyon	Davis	Gregory	Huddleston
Brassell	deGraffenried	Grouby	Hunt
Brewer	Dement	Hain	Jenkins

Johnson ^(Elmore)	Locke ^(Perry)	Nolen	Speaks
Johnson ^(Tallapoosa)	Love	Oakley	Steagall
Kelly	McLendon	Oden	Stembridge
Kendall	McNider	Payne	Stokes
Killough	Martin	Pirkle	Taylor
Kirkham	Mathews	Reynolds	Thomas
Lackey	Mathison	Roberts	Tyson
Law	Meeks	Selman	Vacca
Lee ^(Barbour)	Murphy	Shumate	Windle
Lee ^(Lawrence)	Nettles	Simon	Wood
Locke ^(Choctaw)	Nice	Solomon	

—87

RESOLUTION

The following resolution was introduced:

By Mr. Hawkins:

H.J.R. 27. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, April 5, 1955.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 27 was adopted.

BILLS ON THIRD READING RESUMED

H. 80. To fix the salary of the director of the Legislative Reference Service.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 4.

Yeas:

Mr. Speaker	Dickson	Johnson ^(Elmore)	Oakley
Adams	Edwards ^(Escambia)	Kelly	Oden
Albea	Edwards ^(Jefferson)	Kendall	Payne
Ashworth	Ferrell	Killough	Perry
Boyd	Franklin	Kirkham	Pirkle
Bradford	Gilchrist	Lackey	Ramey
Brannan	Gist	Law	Reynolds
Branyon	Goodwyn	Lee ^(Barbour)	Roberts
Brassell	Grouby	Lee ^(Lawrence)	Selman
Brewer	Hain	Locke ^(Choctaw)	Shumate
Broadfoot	Hall	McClendon	Simon
Brooks	Haltom	McKay	Solomon
Brown ^(Lamar)	Hanby	McLendon	Steagall
Brown ^(Lee)	Hare	McNider	Stembridge
Burkhalter	Harrison	Martin	Stokes
Callahan	Harvey	Mathews	Taylor
Cornett	Hawkins	Mathison	Thomas
Cox	Hodges	Meeks	Tyson
Crook	Holliman	Molette	Vacca
Davis	Huddleston	Murphy	Ward
deGraffenried	Hunt	Nettles	Wood
Dement	Jenkins	Nice	

—87

Nays:Messrs:
Kaul

Money

Nolen

Richardson

—4

RECESS

On motion of Mr. Hawkins the House recessed twenty minutes.

The House reconvened and the Speaker called the House to order.

**REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 21. To amend Section 27, Title 10, Code of Alabama (1940), which relates to corporations.

Also:

H. 22. To amend Section 255 of Title 13, Code of Alabama (1940), which relates to assistance for the circuit solicitor of the fifteenth judicial circuit.

Also:

H. 33. To amend Section 131 of Title 23, Code of Alabama, 1940, which relates to the dumping, throwing or leaving debris, trash and rubbish on highways.

Also:

H. 34. To amend Section 211 of Title 29, Code of Alabama (1940), which relates to the officers who may issue search warrants under the law regulating the possession, sale, and distribution of intoxicating liquors and alcoholic beverages.

Also:

H. 38. To amend Section 10 of Title 37, Code of Alabama (1940).

Also:

H. 56. Relating to judicial procedure; making exceptions to rulings of the court unnecessary and prescribing the manner of requesting and of objecting to such rulings.

And finds same correctly enrolled.

RANKIN FITE,
Chairman

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House:

By Mr. Givhan:

S. 12. To provide for the protection of the Public Health and establish health standards and regulations governing the production, processing, handling, and distribution of milk for human consumption; requiring milk producers, processors, handlers, and distributors to obtain permits issued by the State Board of Health in conjunction with county boards of health; prescribing penalties.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 12. Health.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

HJR 26 - Relating to a Study of Ways and Means to Tighten the Administration of State Tax Laws to Prevent Evasions.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 27. Relative to adjournment of the two Houses until Tuesday, April 5, 1955.

J. E. SPEIGHT,
Secretary.

REPORT OF STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the **following House Bills and House Joint Resolution, to-wit:**

H. 18. To provide for appointment of official court reporters of the circuit courts in those circuits which are now, or which may hereafter, be composed of only one county and having not less than four nor more than nine circuit judges; to provide for their qualifications, to fix their compensation, to define their duties and provide for the appointment of special reporters in such cases; to repeal all laws which may be in conflict herewith.

Also:

H. 61. To apply in all counties having a population of not less than 47,500 nor more than 52,000 inhabitants, according to the last or any subsequent federal decennial census; providing for the appointment of a deputy clerk of the circuit court of such counties; prescribing the duties, powers, and authority of such deputy, fixing his compensation and designating the method of payment and the fund from which such compensation shall be paid.

Also:

H. 62. To apply in all counties having a population of not less than 47,500 nor more than 52,500, according to the last or any subsequent federal decennial census; regulating further the office of county solicitor in such counties; imposing extra, new, and additional duties upon such officer, and providing further for his compensation.

Also:

H. 69. Relating to the compensation of judges of the circuit court of counties having a population of not less than 225,000 inhabitants nor more than 400,000 inhabitants, according to the last or any subsequent decennial federal census, who are commissioned supernumerary circuit judges of this State; providing for a county supplement to the salaries paid such judges by the State .

Also:

H. 70. Relating to counties having a population of not less than 94,000 people, nor more than 134,000 people, according to the last Federal Decennial Census, or any subsequent Federal Decennial Census; requiring the Court of County Commissioners, Board of Revenue, or like governing bodies of said counties to cover, or cause to be covered certain employees of said counties, or any agency or instrumentality thereof, including the employee of elected officials, under the Workmen's Compensation Act.

Also:

H.J.R. 25. Relative to commending Senator Lester Hill for his action in introducing Senate Bill 205, which provides funds to several states for the development of public library services.
And finds same correctly enrolled.

**RANKIN FITE
CHAIRMAN**

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading a length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 1:00 P. M. on March 29, 1955.

H. 6

H. 50

Delivered to the Governor at 4:08 P. M. on March 29, 1955.

H. 21

H. 22

H. 33

H. 34

H. 38

H. 56

ADJOURNMENT

On motion of Mr. Hawkins the House adjourned until Tuesday, April 5, 1955, at twelve o'clock (noon).

R. T. GOODWYN, JR.,
Clerk

NINTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, April 5, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend W. A. Hogan, Pastor, Goode Street Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards (Jefferson)	Kaul	Oakley
Adams	Faulk	Kelly	Oden
Albea	Ferrell	Kendall	Payne
Ashworth	Franklin	Killough	Perry
Bagley	Gilchrist	Kirkham	Pirkle
Bassett	Gist	Lackey	Pruitt
Boyd	Goodwyn	Law	Ramey
Bradford	Gregory	Lee (Barbour)	Reynolds
Branyon	Grouby	Lee (Lawrence)	Richardson
Brassell	Hain	Locke (Choctaw)	Selman
Brewer	Hall	Locke (Perry)	Shumate
Brooks	Haltom	Love	Simon
Brown (Lamar)	Hanby	McClendon	Solomon
Brown (Lee)	Hardy	McKay	Speaks
Burkhalter	Hare	McLendon	Steagall
Callahan	Harrison	McNider	Stembridge
Cornett	Harvey	Mathews	Stokes
Cox	Hawkins	Mathison	Summerlin
Crook	Hodges	Meeks	Taylor
Davis	Holliman	Molette	Thomas
Dawkins	Huddleston	Money	Tyson
deGraffenried	Hunt	Murphy	Vacca
Dement	Jenkins	Nettles	Ward
DeSear	Johnson (Elmore)	Nice	Windle
Dickson	Johnson (Tallapoosa)	Nolen	Wood
Edwards (Escambia)			

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eighth legislative day and finds the same to be correct.

RANKIN FITE

Chairman

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the eighth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the eighth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES

ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill and House Joint Resolution, to-wit:

H. 36. To regulate the sale of eggs in Alabama by requiring accurate labeling of containers in which eggs are sold; to require accurate labeling of such egg containers with respect to the grade and weight classes of eggs contained therein and to authorize the State Board of Agriculture and Industries to establish reasonable standards, grades of quality and weight classes of the sale of eggs; to levy and collect an inspection fee upon the sale of eggs and to require egg dealers to obtain a permit from the Commissioner of Agriculture and Industries before engaging in the sale of eggs; to make an appropriation to defray costs and expenses incident to the administration and enforcement of this Act; to authorize the adoption of rules and regulation for the execution of this Act and to provide exemptions of the sale of eggs from this Act; prescribe a penalty for violations together with other administrative and enforcement provisions; to repeal Article 15 of Title 2, Code of Alabama of 1940.

Also:

H. J. R. 26

Relative to directing the Commissioner of the State Department of Revenue to make a study of State Tax Laws to prevent evasions and to report his findings and recommendations to the House Ways and Means Committee within the first ten legislative days of the next regular session.

And finds same correctly enrolled.

RANKIN FITE

Chairman

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Gist and Money:

H.J.R. 28. WHEREAS, an increasing number of ambulances and other vehicles on emergency trips are being involved in traffic accidents while passing through municipalities;

BE IT RESOLVED by the House of Representatives, the Senate concurring:

1. That whenever the necessity for an emergency trip occurs, the Highway Patrol and the chief of police of every municipality along the route of the emergency trip be notified that the emergency trip is to be taken, and the proposed route to be traveled.

2. That the Highway Patrol and the chief of police of each municipality along the proposed route furnish an escort to insure the safe passage of the vehicle through each municipality, and assist such vehicle in any other way possible.

BE IT FURTHER RESOLVED that the clerk of the House of Representatives transmit a copy of this resolution to the Director of Public Safety and to the Alabama League of Municipalities.

On motion of Mr. Gist the rules were suspended and H.J.R. 28 was adopted.

Also:

By Mr. Brassell:

H.J.R. 29. BE IT RESOLVED by the House of Representatives the Senate concurring that the Speaker appoint three members from the House and the Lt. Governor appoint two members from the Senate as a joint standing committee to be known as the Fort Morgan Committee; and that the duties of said committee shall be to look after Fort Morgan and its installations and to see that the will of the Legislature is carried out in all appropriations which may be made for the purpose of restoring said Fort Morgan.

RESOLVED FURTHER that said committee so created shall not expend any sums of money unless authorized by the House and Senate.

On motion of Mr. Brassell the rules were suspended and H.J.R. 29 was adopted.

The Speaker appointed as a committee on the part of the House: Messrs. Brassell, Wood and Summerlin.

Also:

By Messrs. Callahan and deGraffenried:

H.J.R. 30. WHEREAS, the people of Alabama were deeply saddened to learn of the death of Dr. George Hutcheson Denny on April 2, 1955, and

WHEREAS, Dr. Denny gave untiring service to the people of this state by serving as the president of the University of Alabama from 1912 until 1937 and by serving as its Chancellor from that time until his death, and

WHEREAS, the University of Alabama when he assumed his inspiring leadership was a small college little known beyond the bounds of this state, training a few hundred students and was developed into

a great state university training thousands of students and serving this state and nation in many and varied capacities, and earned a reputation for leadership among the other great institutions of higher learning in this nation, and

WHEREAS, the exemplary, Christian life led by "Mike" Denny, as he was affectionately known, has been a strong influence for good on the lives of countless Alabamians who remember his warm spirit, dignity of demeanor, honesty of purpose and ever present good humor, and

WHEREAS, the people of this state gave evidence of their respect for this great man by acclaiming him the First Citizen of Alabama in 1946, electing him to the Alabama Hall of Fame and selecting him by popular vote as Alabama's most distinguished professional leader, and

WHEREAS, his passing from this mortal life will be keenly felt throughout the nation by all who knew him and especially by the more than 40,000 alumni of the University of Alabama;

THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. That this body expresses its sincere sense of loss and mourning by the passing of this great educator, statesman and builder of Alabama;

2. That, as the legislative representatives of the people of Alabama, we hereby extend the sympathy of our state to the surviving widow, children and other bereaved relatives of the deceased.

3. That a separate page of the journals of each House be and is hereby set apart for the preservation of this joint resolution as a memorial to the memory of George Hutcheson Denny.

On motion of Mr. Callahan the rules were suspended and H.J.R. 30 was adopted.

BILLS ON SECOND READING

Mr. Lackey, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 12. To provide for the protection of the Public Health and establish health standards and regulations governing the production, processing, handling, and distribution of milk for human consumption; requiring milk producers, processors, handlers, and distributors to obtain permits issued by the State Board of Health in conjunction with county boards of health; prescribing penalties.

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 11. Relating to Clarke County; creating the office of special deputy sheriff; and providing for the appointment, duties, salary, and manner of payment of the salary of such special deputy.

H. 85. To apply in all counties having a population of not less than 40,500 nor more than 45,000 inhabitants, according to the last or any subsequent federal decennial census; providing that any savings

and loan association organized and operating under the provisions of Chapter 11 of Title 5, Code of Alabama (1940), as amended, and existing in any such county, may, with the approval of the Savings and Loans Commissioner, State Department of Commerce, open, establish, and maintain a branch office in any municipality located within such county other than the municipality in which it is now operating.

H. 86. To amend Act No. 301, H. 595, approved July 27, 1951, which authorizes the clerk of the Circuit Court of Lee County to employ clerical assistance (1950-51 Acts, Vol. 1, page 596).

Mr. Kelly, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bill and ordered same returned to the House, Without Recommendation, and it was read a second time and placed on the Calendar, to-wit:

H. 73. (Without Recommendation) Relating to property owned by any person who is a recipient of public assistance under the welfare laws of this State; providing that ownership of a home or place of residence shall not render a person ineligible to receive public assistance; providing that the State shall have a lien or claim on all property, or interests in property, owned by recipients of public assistance, and providing for the enforcement thereof; providing for the distribution of the amounts of money recovered under the provisions of the Act; and prohibiting the granting of assistance to persons who have encumbered or disposed of property to prevent the State's acquiring a lien.

INTRODUCTION OF BILL

Upon a call of counties the following bill was introduced, read one time and referred to appropriate standing committee as follows:

By Messrs. Speaks, Law, Johnson (Elmore), Johnson (Tallapoosa),

Adams and Franklin

H. 87. To repeal Act No. 784, H. 316, approved September 19, 1953 (1953 Acts 1069) entitled "An Act To provide that commercial fishing gear, which shall include commercial gear for the taking of fresh water mussels, may be used in commercial fishing in the public fresh waters of this State and to provide that the Department of Conservation may prescribe rules for and when, where and how the same may be used. To provide for license and the issuance thereof permitting the use of such commercial fishing gear. To provide licenses for wholesale and retail dealers of fresh water non-game fish. To provide for the issuance of such licenses and the disposition of the revenue derived therefrom. To provide for the seizure and confiscation of commercial fishing gear used in violation of the terms of this Act. To provide for a penalty for the violations of any provision of this Act and to provide for the disposition of the license fees and the fines accruing from violation of this Act. To repeal Sections 70, 71, 72, 74 and 77 of Title 8, Code of Alabama 1940, and to repeal Act No. 263, 1945 General Acts of Alabama, page 407, approved July 7, 1945, which relates to commercial fishing gear to be used in public fresh waters of this State and the licensing of such gear. To repeal Section 73 of Title 8, Code of Alabama 1940, as amended by Act No. 556, 1943 General Acts of Alabama page 543, approved July 10, 1943, and by Act No. 306, 1947 General Acts of Alabama, page 163, approved August 14, 1947."

Conservation.

BILLS ON THIRD READING

H. 17. (with amendment): To prescribe additional qualifications

for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

JUDICIARY COMMITTEE AMENDMENT TO H.B. NO. 17

Amend Section 2 of H.B. No. 17 by deleting the period after the word "probate" and adding thereto the following:

"nor shall it be construed to effect the eligibility of any person now holding such office to succeed himself."

On motion of Mr. Simon the amendment reported by the Standing Committee on Judiciary was laid upon the table.

Mr. Simon offered the following amendment to the bill, H. 17:

AMENDMENT OF H. 17

Strike out the title of the bill and substitute therefor the following:

To prescribe additional qualifications for holding the office of judge of probate in all counties having a population of not less than 200,000 nor more than 500,000, according to the last or any subsequent federal decennial census, where equity jurisdiction has been or is hereafter conferred on such officer or vested in such office.

Strike out section 1 of the bill and substitute therefor the following:

In all counties having a population of not less than 200,000 nor more than 500,000, according to the last or any subsequent federal decennial census, where equity jurisdiction has been or is hereafter conferred on the judge of probate or vested in his office by general or local law, the judge must be learned in the law in addition to being possessed of all other qualifications prescribed by law.

The motion of Mr. McNider to indefinitely postpone the bill, H. 17, and pending amendment, was lost.

Yeas 20; Nays 66.

Yeas:

Messrs:	Ferrell	Hunt	McNider
Brooks	Gist	Jenkins	Money
Brown (Lamar)	Gregory	Killough	Payne
Cox	Harvey	Lee (Barbour)	Taylor
DeSear	Holliman	Locke (Choctaw)	Thomas
Dickson			

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Nays:

Mr. Speaker	Bassett	Brewer	deGraffenried
Adams	Boyd	Callahan	Dement
Albea	Bradford	Crook	Edwards (Escambia)
Ashworth	Branyon	Davis	Edwards (Jefferson)
Bagley	Brassell	Dawkins	Faulk

Franklin	Johnson (Elmore)	Murphy	Solomon
Gilchrist	Kaul	Nettles	Speaks
Goodwyn	Kendall	Nice	Steagall
Grouby	Kirkham	Nolen	Stembridge
Hain	Lackey	Oden	Stokes
Hall	Law	Perry	Summerlin
Haltom	Love	Pirkle	Tyson
Hanby	McKay	Reynolds	Vacca
Hardy	McLendon	Selman	Ward
Hare	Mathews	Shumate	Windle
Hodges	Meeks	Simon	Wood
Huddleston	Molette		

—66

And the amendment offered by Mr. Simon was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Killough	Payne
Adams	Faulk	Kendall	Perry
Albea	Ferrell	Kirkham	Pirkle
Ashworth	Franklin	Lackey	Ramey
Bagley	Gilchrist	Law	Reynolds
Bassett	Gist	Lee (Barbour)	Richardson
Boyd	Goodwyn	Locke (Choctaw)	Selman
Bradford	Gregory	Locke (Perry)	Shumate
Branyon	Grouby	Love	Simon
Brassell	Hain	McKay	Solomon
Brewer	Hall	McLendon	Speaks
Brooks	Haltom	McNider	Steagall
Brown (Lamar)	Hanby	Mathews	Stembridge
Callahan	Hardy	Mathison	Stokes
Cox	Hare	Meeks	Summerlin
Crook	Harrison	Molette	Taylor
Davis	Hodges	Money	Thomas
Dawkins	Holliman	Murphy	Tyson
deGraffenried	Huddleston	Nettles	Vacca
Dement	Johnson (Elmore)	Nice	Ward
Dickson	Kaul	Nolen	Windle
Edwards (Escambia)	Kelly	Oakley	Wood

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And said bill, H. 17, as thus amended, was read a third time at length and passed.

Yeas 78; Nays 7

Yeas:

Mr. Speaker	Brassell	Edwards (Jefferson)	Hain
Adams	Brewer	Faulk	Hall
Albea	Callahan	Ferrell	Haltom
Ashworth	Crook	Franklin	Hanby
Bagley	Davis	Gilchrist	Hardy
Bassett	Dawkins	Gist	Hare
Boyd	deGraffenried	Goodwyn	Harrison
Bradford	Dement	Gregory	Hodges
Branyon	Edwards (Escambia)	Grouby	Holliman

Huddleston	Love	Nolen	Steagall
Hunt	McKay	Payne	Stembridge
Johnson (Elmore)	McLendon	Perry	Stokes
Kaul	Mathews	Pirkle	Summerlin
Kelly	Mathison	Reynolds	Thomas
Kendall	Meeks	Selman	Tyson
Kirkham	Molette	Shumate	Vacca
Lackey	Money	Simon	Ward
Law	Murphy	Solomon	Windle
Lee (Barbour)	Nettles	Speaks	Wood
Locke (Choctaw)	Nice		

—78

Nays:

Messrs:	Cox	Jenkins	McNider
Brooks	Dickson	Killough	Taylor

—7

And the bill:

H. 59. Relating to judicial procedure; authorizing the calling and empanelling of alternate jurors for trials in civil, criminal and equity cases.

Was taken up.

Messrs. Nice, Perry, Kaul, Meeks, Lackey, Vacca and Edwards (Jefferson) offered the following substitute for the bill, H. 59:

SUBSTITUTE FOR HOUSE BILL NO. 59

A BILL

TO BE ENTITLED

AN ACT

Relating to judicial procedure, and to provide for and regulate the selecting and impanneling of juries and alternate jurors in all criminal and quasi-criminal cases in the circuit courts in counties having a population of 400,000 or more according to the last or any future federal census; and to provide for the repeal of sections 221 to 227, both inclusive of title 62, Code of 1940, and of all Acts amendatory of said sections.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The provisions of this Act shall apply to and be operative only in circuit courts of this State in counties having a population of 400,000 or more according to the last or any future federal census.

Section 2. In every criminal case, any defendant or the prosecution may demand a struck jury. When so demanded, the clerk or his deputy or assistant or other person designated by the judge presiding, shall furnish all parties with a list of twenty-four competent jurors in attendance upon the court in all cases except in capital cases, and in capital cases shall furnish all parties with a list of thirty-six competent jurors in attendance upon the court; and from such lists so furnished a jury **must be obtained by the prosecution striking first from the list the name of one juror, and the defendant striking from the list the name of one juror and thereafter continuing to strike off one name alternately until twelve jurors remain on the list, and these twelve thus selected shall be the jury charged with the trial of the case.**

Section 3. The twenty-four, or thirty-six, jurors shall be obtained from all of the jurors then in attendance upon the court and who at the time are readily and presently available for the trial of the case in such manner but without selection of names as the judge of such courts may prescribe by rule of court, or if no such rule is provided, then in such manner, but without selection of names, as ordered by the judge presiding on the trial of the case. In the event neither the prosecution nor any defendant demands a struck jury, the court shall obtain without selection of names, twelve competent jurors from the jurors then in attendance upon the court, and readily available for the trial, which said twelve jurors shall try the case.

Section 4. In the event that twenty-four competent jurors are not readily and presently available for the striking of a jury in a misdemeanor or quasi-criminal case, then the prosecution and the defendant or defendants may be required to strike from the competent jurors that are presently and readily available for the trial provided the number of competent jurors is not less than eighteen. The striking of names when less than twenty-four competent jurors are presently and readily available for the trial shall proceed in the same order and manner as if striking from a list of twenty-four jurors, until only twelve jurors remain on the list and these twelve shall be the jury charged with the trial of the case.

Section 5. In case two or more persons are tried jointly, the solicitor shall strike one and each defendant shall have the right to strike off one name and they shall continue thus to strike off names until only twelve remain, and the twelve thus selected shall be the jury charged with the trial of the defendants.

Section 6. If any defendant or defendants should refuse to strike the number of jurors allowed him by the provisions hereof, from the list furnished him, then the judge presiding shall proceed to strike off the names for the defendant or defendants refusing to strike.

Section 7. No special venire shall be ordered or drawn for the trial or trials of a defendant or defendants in capital felonies, but a defendant or defendants in capital felony cases shall be entitled to strike from a list of thirty-six competent jurors obtained from the regular juries in the court.

Section 8. It shall not be a ground to quash the venire or to continue any case of the kinds referred to in this subdivision that the sheriff has failed to summon any of the jurors drawn for service during the week in which said case is set for trial, or that any of the jurors summoned have failed or refused to attend court, or that there is any mistake in the name of any juror summoned, or that a judge, either in open court or otherwise has, for any cause, excused any juror summoned for service for the week in which said case is set for trial.

Section 9. In any felony case, whether capital or non-capital, the court in its discretion may order the selection of one or of two alternate jurors.

Section 10. If the court orders the selection of one alternate juror, such juror shall be selected in the following manner:

(a) If and when according to the provisions of sections 2, 3 and 7 of this Act the parties would be entitled (in the absence of such order for an alternate juror) to strike from a list of twenty-four competent jurors, the parties shall be provided with, and required to strike from, a list of twenty-seven competent jurors until thirteen names remain on the list. Thereupon the court shall select by lot one name from such

thirteen names. The juror whose name is so selected shall be the alternate juror, and the remaining twelve shall be the principal jurors.

(b) If and when according to the provisions of sections 2, 3 and 7 of this Act, the parties would be entitled (in the absence of such order for an alternate juror) to strike from a list of thirty-six competent jurors, the parties shall be provided with, and required to strike from, a list of thirty-nine competent jurors until thirteen names remain on the list. Thereupon the court shall select by lot one name from such thirteen names. The juror whose name is so selected shall be the alternate juror, and the remaining twelve shall be the principal jurors.

Section 11. If the court orders the selection of two alternate jurors, such alternate jurors shall be selected in the following manner:

(a) If and when according to the provisions of sections 2, 3 and 7 of this Act the parties would be entitled (in the absence of an order for alternate jurors) to strike from a list of twenty-four competent jurors, the parties shall be provided with, and required to strike from, a list of twenty-nine competent jurors until fourteen names remain on the list. Thereupon the court shall select by lot one name from such fourteen names, and the juror whose name is so selected shall be Alternate Juror No. 1. Thereupon the court shall select by lot from the remaining thirteen names, another name, and the juror whose name is so selected shall be Alternate Juror No. 2. The remaining twelve shall be the principal jurors.

(b) If and when according to the provisions of sections 2, 3 and 7 of this Act the parties would be entitled (in the absence of an order for alternate jurors) to strike from a list of thirty-six competent jurors, the parties shall be provided with, and required to strike from, a list of forty-two competent jurors until fourteen names remain on the list. Thereupon the court shall select by lot one name from such fourteen names, and the juror whose name is so selected shall be Alternate Juror No. 1. Thereupon the court shall select by lot from the remaining thirteen names, another name, and the juror whose name is so selected shall be Alternate Juror No. 2. The remaining twelve shall be the principal jurors.

Section 12. The court may order an alternate juror to take the place of a principal juror only when a principal juror, prior to the retirement of the jury to consider its verdict, is excused by the court, in the exercise of its sound discretion, from further service by reason of some mental or physical ailment in such principal juror or his confrontation with some emergency, rendering him unable to perform his duties satisfactorily.

Section 13. If there are two alternate jurors, and both are able to perform the duties of a juror satisfactorily, the court shall order Alternate Juror No. 1 to take the place of the first member of the jury who, for a cause specified in section 12 of this Act, is excused from further service. If two alternate jurors were selected, but only one of them is able to perform the duties of a juror satisfactorily, then such one shall be ordered to take the place of any member of the jury who, for a cause specified in section 13 of this Act, is excused from further service. An alternate juror who is able to perform satisfactorily the duties of a juror may be ordered (under the same conditions as he might have been ordered to take the place of a member of the original twelve jurors) to take the place of a juror who himself was originally an alternate juror.

Section 14. All alternate jurors shall obey all orders and admoni-

tions of the court. If the regular jurors are ordered to be kept in the custody of an officer or officers during the trial, such alternate jurors shall also be kept in such custody with the regular jurors. All alternate jurors shall be seated near the regular jurors with equal facilities for observing the proceedings in the trial, and shall attend the trial at all times in company with the regular jurors. If any alternate juror is ordered to become a member of the jury, he shall take the same oath as that administered to other jurors, and shall have the same functions, powers, duties, and privileges as regular members of the jury. Any alternate juror who has not been ordered to take a place on the jury, prior to the retirement of the jury to consider its verdict, shall be discharged.

Section 15. This Act shall supercede and repeal any and all local laws in conflict with or variant from this Act. Sections 221 to 227, both inclusive, of Title 62, Code of 1940, and all Acts amendatory of said sections are hereby repealed.

Section 16. This Act shall not repeal or impair to any extent the provisions of sections 207 to 220, both inclusive, of Title 62, Code of 1940.

Section 17. If any section or provision of this Act shall be declared void and unconstitutional by the Supreme Court of Alabama, such decision shall not affect any other section or provision not in and of itself unconstitutional and void, except that if any material part of this Act is so held to be unconstitutional and void, sections 221 to 227, both inclusive, of Title 62, Code of 1940, shall not be repealed or otherwise affected by this Act.

And the substitute was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Faulk	Johnson (Tallapoosa)	Nolen
Adams	Ferrell	Kaul	Oden
Albea	Franklin	Kelly	Payne
Ashworth	Gilchrist	Kendall	Perry
Bagley	Gist	Killough	Pirkle
Bassett	Goodwyn	Kirkham	Pruitt
Boyd	Gregory	Lackey	Ramey
Bradford	Grouby	Law	Reynolds
Branyon	Hain	Lee (Barbour)	Selman
Brassell	Hall	Locke (Choctaw)	Shumate
Brewer	Haltom	Locke (Perry)	Simon
Brooks	Hanby	McClendon	Solomon
Brown (Lamar)	Hardy	McKay	Speaks
Callahan	Hare	McLendon	Stembridge
Cox	Harrison	McNider	Stokes
Crook	Harvey	Mathews	Summerlin
Davis	Hawkins	Mathison	Taylor
Dawkins	Hodges	Meeks	Thomas
deGraffenried	Holliman	Molette	Tyson
Dement	Huddleston	Money	Vacca
DeSear	Hunt	Murphy	Ward
Dickson	Jenkins	Nettles	Windle
Edwards (Escambia)	Johnson (Elmore)	Nice	Wood
Edwards (Jefferson)			

And said bill, H. 59, as thus amended, was read a third time at length

and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Ferrell	Kaul	Oakley
Adams	Franklin	Kelly	Oden
Albea	Gilchrist	Kendall	Payne
Ashworth	Gist	Killough	Perry
Bagley	Goodwyn	Kirkham	Pirkle
Bassett	Gregory	Lackey	Pruitt
Boyd	Grouby	Law	Ramey
Eradford	Hain	Lee (Barbour)	Richardson
Branyon	Hall	Locke (Choctaw)	Selman
Brassell	Haltom	Locke (Perry)	Shumate
Brewer	Hanby	McClendon	Simon
Brooks	Hardy	McKay	Solomon
Brown (Lamar)	Hare	McLendon	Speaks
Callahan	Harrison	McNider	Steagall
Cox	Harvey	Mathews	Stembridge
Crook	Hawkins	Mathison	Stokes
Davis	Hodges	Meeks	Summerlin
Dawkins	Holliman	Molette	Taylor
Dement	Huddleston	Money	Thomas
DeSear	Hunt	Murphy	Tyson
Dickson	Jenkins	Nettles	Vacca
Edwards (Escambia)	Johnson (Elmore)	Nice	Ward
Edwards (Jefferson)	Johnson (Tallapoosa)	Nolen	Wood
Faulk			

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RECESS

On motion of Mr. Hawkins the House recessed until 3:00 o'clock this afternoon.

The hour of 3:00 o'clock P.M. having arrived, the House reconvened.

**REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 17. To prescribe additional qualifications for holding the office of judge of probate in all counties having a population of not less than 200,000 nor more than 500,000, according to the last or any subsequent federal decennial census, where equity jurisdiction has been or is hereafter conferred on such officer or vested in such office.

RANKIN FITE,
Chairman

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and return same herewith to the House:

H.J.R. 28. Relative to the Highway Patrol and chiefs of police routing emergency trips by ambulance.

Also:

H.J.R. 30. Expressing sincere loss and mourning the passing of Hon. George Hutcheson Denny.

Also:

H.J.R. 29. Relative to appointing a joint committee known as the Fort Morgan Committee.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Bradford and Jones.

J. E. SPEIGHT,
Secretary.

DEDICATED
TO THE
MEMORY OF
DR. GEORGE HUTCHESON DENNY
EDUCATOR, STATESMAN AND BUILDER OF ALABAMA

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S.J.R. 8. Relative to urging Congress to give immediate attention to a bill introduced in Congress concerning a Weather Station off-shore in the Gulf of Mexico to provide adequate weather information for this section of the Country.

Also:

S.J.R. 9. Relative to urging appropriate Federal authorities to provide financial assistance to farmers of Alabama in emergency created by losses as a result of unseasonable weather.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 4. To repeal Act No. 694, S. 580, approved September 5, 1951, entitled "An Act Relating to public welfare; providing for monetary contributions to the support of certain needy persons by certain relatives thereof; prescribing the procedure for obtaining such contributions; making needy persons with certain relatives liable to contribute to their support ineligible to receive public assistance; imposing additional duties on county departments of public welfare, county solicitors and deputy circuit solicitors in connection with the administration of the Act; and authorizing the Commissioner of Public Welfare to promulgate rules and regulations for carrying out the purposes of the Act" (Acts of 1950-51, Vol. II, p. 1195), which is known as "The Relatives Responsibility Act."

J. E. SPEIGHT,
Secretary

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Mr. Hawkins:

H.J.R. 31. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Wednesday, April 6, 1955.

The motion of Mr. Hawkins to suspend the rules in order to bring up for immediate consideration the above and foregoing H.J.R. 31 was lost.

And said resolution H.J.R. 31 was referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the follownig House bill and returns same herewith to the House:

H. 78. To authorize and empower the county governing body in any County of this State, having a population of not less than 94,000 and not more than 134,000, according to the last or any subsequent Federal Decennial Census, to employ one or more Probation officers, to work with Courts in such Counties having jurisdiction of juvenile offenders, and to authorize the payment of the salary and expenses of such Probation officer, and to authorize and empower municipalities in such Counties to join with such Counties in the payment of the salaries and expenses of such Probation officer.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Callahan the House concurred in and adopted the Senate amendment to the bill, H. 78, said Senate amendment being as follows:

SENATE AMENDMENT TO H.B. NO. 78

Amend Section 2 of H.B. No. 78 by adding thereto, at the end thereof, the following: provided that such probation officer meets the qualifications prescribed by Title 13, Section 360, Code of Alabama, 1940.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kendall	Nice
Adams	Ferrell	Killough	Nolen
Albea	Franklin	Kirkham	Oakley
Ashworth	Gilchrist	Lackey	Oden
Bagley	Gist	Law	Payne
Bassett	Goodwyn	Lee (Barbour)	Perry
Boyd	Gregory	Lee (Lawrence)	Pirkle
Bradford	Grouby	Locke (Choctaw)	Pruitt
Branyon	Hain	Locke (Perry)	Ramey
Brassell	Hanby	Love	Richardson
Brewer	Hardy	McClendon	Simon
Brown (Lamar)	Hare	McKay	Steagall
Burkhalter	Harvey	McLendon	Stokes
Callahan	Hawkins	McNider	Summerlin
Cox	Hodges	Mathews	Taylor
Dawkins	Huddleston	Meeks	Thomas
DeSear	Hunt	Money	Tyson
Dickson	Johnson (Elmore)	Murphy	Windle
Edwards (Escambia)	Johnson (Tallapoosa)	Nettles	Wood

RESOLUTION

The following resolution was introduced;

By Messrs. Tyson, Simon and Murphy:

H.J.R. 32. WHEREAS, the Legislature has learned of the recent death of the Honorable William H. Holcombe, veteran law enforcement officer of Mobile County, and

WHEREAS, Mr. Holcombe had served as sheriff of Mobile County for six terms, and had occupied the office of sheriff for more terms than any other person, which service had brought him such distinctions as the presidency of the Alabama Sheriffs' and Peace Officers' Association, and

WHEREAS, Mr. Holcombe performed his civic duties not only in a highly efficient manner but in a humanitarian manner as well, as illustrated by his successful efforts to secure the establishment at the City Hospital of a specialized unit for the care and treatment of the mentally ill, and

WHEREAS, Mr. Holcombe had also served one term in the Alabama House of Representatives, during which time he sponsored the Alabama State Docks enabling legislation; now therefore

BE IT RESOLVED by the House of Representatives, the Senate concurring: That the members of the Legislature hereby express their deep regret at the passing of this beloved public servant, and extend their sympathy to the surviving members of the family of William H. Holcombe.

BE IT FURTHER RESOLVED that the Clerk of the House of Representatives transmit a copy of this resolution to Mrs. Monica G. Webster Holcombe, the widow of William H. Holcombe.

On motion of Mr. Tyson the rules were suspended and H.J.R. 32 was adopted.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama
Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 69, with an executive amendment.

Respectfully submitted,
O. H. FINNEY, JR.,
Executive Secretary

APRIL 5, 1955

To the House of Representatives
State Capitol
Montgomery, Alabama
Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 69, with a suggested executive amendment, as follows:

Amend the title of said bill to read:

"To provide for payments out of the county treasury to supplement the salaries of supernumerary circuit judges in any judicial circuit now or hereafter composed of one county and having not less than four nor more than nine circuit judges."

Also, further amend said bill by striking out the first sentence of Section 1 and substituting therefor the following:

"Any supernumerary circuit judge in any judicial circuit now or hereafter composed of any one county, and having not less than four nor more than nine circuit judges, shall be entitled to receive such additional compensation payable from the treasury of the county as may be necessary to cause the total annual salary to be received by such supernumerary circuit judge to equal six thousand dollars (\$6,000)."

The suggested executive amendment is made with the full knowledge and approval and at the request of the authors of said bill, and if adopted will remove my objection to the bill.

Respectfully,
JAMES E. FOLSOM,
Governor

GOVERNOR'S MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 69, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Ferrell	Lackey	Payne
Adams	Gilchrist	Law	Perry
Albea	Gist	Lee (Barbour)	Pirkle
Ashworth	Goodwyn	Lee (Lawrence)	Pruitt
Bagley	Gregory	Locke (Choctaw)	Ramey
Bassett	Grouby	Locke (Perry)	Richardson
Boyd	Hain	Love	Shumate
Bradford	Hanby	McClendon	Simon
Branyon	Hardy	McKay	Solomon
Brassell	Hare	McLendon	Speaks
Brewer	Harvey	McNider	Steagall
Brown (Lamar)	Hawkins	Mathews	Stembridge
Burkhalter	Hodges	Mathison	Stokes
Callahan	Huddleston	Meeks	Summerlin
Cox	Hunt	Money	Taylor
Dawkins	Johnson (Elmore)	Murphy	Thomas
deGraffenried	Johnson (Tallapoosa)	Nettles	Tyson
DeSear	Kelly	Nice	Vacca
Dickson	Kendall	Nolen	Windle
Edwards (Escambia)	Killough	Oakley	Wood
Edwards (Jefferson)	Kirkham	Oden	

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Which was a majority of the whole number elected to the House.
And said bill:

H. 69. Relating to the compensation of judges of the circuit court

of counties having a population of not less than 225,000 inhabitants nor more than 400,000 inhabitants, according to the last or any subsequent decennial federal census, who are commissioned supernumerary circuit judges of this State; providing for a county supplement to the salaries paid such judges by the State.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Ferrell	Lackey	Payne
Adams	Franklin	Lee (Barbour)	Perry
Albea	Gilchrist	Lee (Lawrence)	Pirkle
Ashworth	Gist	Locke (Choctaw)	Pruitt
Bagley	Goodwyn	Locke (Perry)	Ramey
Bassett	Gregory	Love	Richardson
Boyd	Grouby	McClendon	Shumate
Bradford	Hain	McKay	Simon
Branyon	Hanby	McLendon	Solomon
Brassell	Hardy	McNider	Speaks
Brewer	Hare	Mathews	Steagall
Brown (Lamar)	Harvey	Mathison	Stembridge
Burkhalter	Hawkins	Meeks	Stokes
Callahan	Hodges	Money	Summerlin
Cox	Huddleston	Murphy	Taylor
Dawkins	Hunt	Nettles	Thomas
deGraffenried	Johnson (Tallapoosa)	Nice	Tyson
DeSear	Kelly	Nolen	Vacca
Dickson	Kendall	Oakley	Windle
Edwards (Escambia)	Killough	Oden	Wood
Edwards (Jefferson)			

—81

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 39. Relating to Marion County; levying a county privilege license tax on electric and hydro-electric public utilities, providing for the collection and enforcement of such tax and for the distribution and use of the proceeds thereof.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Hawkins the House concurred in and adopted the Senate amendment to the bill, H. 39, said Senate amendment being as follows:

Amend H.B. No. 39 by causing Section 1 thereof to read as follows:

"Section 1. Each person, firm, or corporation operating an electric

or hydro-electric public utility in Marion County shall pay a county privilege license tax in an amount equal to five per cent of the gross receipts of such business in said county. The tax herein levied shall be in addition to all other taxes and licenses heretofore levied or imposed by law, and shall be due and payable in monthly installments on or before the 20th day of the month next succeeding the month in which the tax accrues."

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Franklin	Killough	Nolen
Adams	Gilchrist	Kirkham	Oakley
Albea	Gist	Lackey	Oden
Ashworth	Goodwyn	Law	Payne
Bagley	Gregory	Lee (Barbour)	Perry
Bassett	Grouby	Lee (Lawrence)	Pirkle
Boyd	Hain	Locke (Choctaw)	Ramey
Bradford	Hanby	Locke (Perry)	Richardson
Branyon	Hardy	Love	Shumate
Brassell	Hare	McClendon	Simon
Brewer	Harvey	McKay	Speaks
Brown (Lamar)	Hawkins	McLendon	Steagall
Burkhalter	Hodges	McNider	Stembridge
Callahan	Huddleston	Mathison	Summerlin
Cox	Hunt	Meeks	Taylor
deGraffenried	Johnson (Elmore)	Money	Thomas
DeSear	Johnson (Tallapoosa)	Murphy	Tyson
Edwards (Escambia)	Kelly	Nettles	Vacca
Edwards (Jefferson)	Kendall	Nice	Windle
Ferrell			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Allen:

S.J.R. 13. Resolution Endorsing Senator Harry F. Byrd's Plan for Financing the Construction of Interstate Highways, and commending him for his stand on S. 1160, which is pending in Congress.

On March 18, 1955, Senator Harry F. Byrd of Virginia made an important statement in opposition to the Clay Highway Proposal embodied in S. 1160, which is pending before the United States Senate's Public Works Sub-committee on Roads. Senator Byrd's objections to S. 1160 were stated as follows:

1. In my judgement, if Senate bill 1160 is enacted in its present form it will destroy sound budgetary procedure and take the longest step yet toward concentrating power in the Federal Government..

2. It abolishes the State matching formula, which has existed since 1916. It turns over to the Federal Government control of 40,000 miles of our most important roads heretofore under the control of the 48 states.

3. It gives to certain states large windfall refunds for existing

roads which will be refunded to the states on a basis that will result in great injustice as between them.

4. It is based upon the erroneous conclusion that the interstate system as established by this bill will meet the needs for a period of 32 years. It would dry up the gasoline tax for road improvement on this system from 1966 to 1987 in order to pay the bonds and the interest thereon. It apparently assumes that no new road development on the interstate system will be necessary in this 22 year period.

5. It establishes a government corporation without income or assets and authorizes this corporation to borrow \$21 billion for 32 years without declaring it as a debt, and by legerdemain excludes this debt from the debt limitation fixed by Congress. The interest will be \$11.5 billions or 55 per cent of the funds borrowed.

6. It provides for payment of principal and interest on these bonds with permanent indefinite appropriations, which removes the corporation from annual appropriation control by Congress.

7. It gives the corporation authority to draw from the Treasury at any time during the next 32 years additional amounts up to \$5 billion outstanding at one time without going through any appropriation action by Congress.

8. It attempts to convert what was originally intended to be a temporary excise tax on gasoline for general revenue purposes into a permanent special tax, irrevocably dedicated to a single specified purpose.

As a solution to the highway problem Senator Byrd suggested that:

1. The 2-cent gasoline tax now being collected by the Federal Government be repealed, thus permitting the states to reimpose it.

2. Present Federal aid to primary, secondary and urban road systems which, for many years has been integrated with state highway systems, be continued on the long standing match basis. This amounts to \$535 million a year.

3. The lubricating oil tax now collected by the Federal Government be continued.

Under such a plan states would retain as much control over their roads as they have had in the past; \$11.5 billion interest would be saved for additional road construction; and road revenue would be evenly distributed over future years to keep highways modernized to meet changing conditions.

Whereas, Senator Byrd's position on S. 1160 is reasonable, and his suggestions are sound and constructive,

Be it resolved by the Legislature of Alabama, both houses thereof concurring, That this body commends Senator Byrd for the position he has taken on this important legislation pending in Congress, and endorses his suggested plan for solving the problem of financing the construction of interstate highways.

Resolved further that copies of this Resolution be sent by the Secretary of the Senate to Senator Harry F. Byrd and to the members of Alabama's delegation in Congress.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The motion of Mr. Davis to suspend the rules in order to bring up for immediate consideration the S. J. R. 13 set out in the above and foregoing Message from the Senate was lost.

And said resolution S. J. R. 13 was referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

S. 14. By Messrs. Davis (Lowndes) et al:

To amend Act No. 703, H. 544, approved September 5, 1951, which created the State Department of Public Welfare and made provisions for the administration of the State's public welfare program (Acts of 1950-1951, Vol. II, page 1211).

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 14. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Givhan SJR-14

A Joint Resolution Creating an
Interim Committee to Study Certain
Matters Affecting the Public Schools
and State Colleges and Universities

Be it resolved by the Senate, the House of Representatives concurring, that the President of the Senate shall name six members of the Senate, and the Speaker of the House shall name nine members of the House as a committee to study the over-all financial needs of the public schools, the state teachers college and normals, state trade schools, the University of Alabama, Alabama College, and the Alabama Polytechnic Institute, and to report their findings, conclusions, and recommendations to the Legislature not later than the 5th legislative day of the next regular session. The members of the Committee shall select a chairman and vice-chairman from among their number, and shall meet on call of the chairman, at such place as he or the Committee may designate. The members of the Committee shall receive their usual per diem and expenses for attending committee meetings, as certified by the chairman, on requisition signed by the chairman, which shall be paid from funds appropriated for use of the Legislature.

Resolved further, that the Committee shall also report to the Legis-

lature such recommendations for legislation looking to a solution of the school segregation problem as it may deem proper.

J. E. SPEIGHT
Secretary.

SENATE MESSAGE

The motion of Mr. Summerlin to suspend the rules in order to bring up for immediate consideration the S. J. R. 14 set out in the above and foregoing Message from the Senate was lost.

And said resolution S.J.R. 14 was referred to the Standing Committee on Rules.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 1:20 P.M. On April 5, 1955

H. 18

H. 61

H. 62

H. 69

H. 70

H.J.R. 25

H. 36

H.J.R. 26

R. T. GOODWYN, JR.,
Clerk

ADJURNMENT

The motion of Mr. Stokes to adjourn until Friday, April 8, 1955, at ten o'clock A.M. was adopted.

Yeas 60; Nays 28.

Yeas:

Messrs:	Hain	Lackey	Perry
Adams	Haltom	Law	Pirkle
Ashworth	Hardy	Lee (Barbour)	Pruitt
Bagley	Harrison	Locke (Choctaw)	Ramey
Bassett	Harvey	Locke (Perry)	Richardson
Boyd	Hodges	Love	Selman
Brooks	Huddleston	McClendon	Shumate
Callahan	Hunt	McKay	Solomon
Cox	Johnson (Elmore)	McLendon	Speaks
DeSear	Johnson (Tallapoosa)	Mathison	Stokes
Dickson	Kaul	Meeks	Summerlin
Edwards (Jefferson)	Kelly	Nice	Taylor
Ferrell	Kendall	Nolen	Thomas
Gilchrist	Killough	Oakley	Vacca
Goodwyn	Kirkham	Payne	Wood
Grouby			

Nays:

Mr. Speaker	Burkhalter	Hanby	Murphy
Albea	Dawkins	Hare	Nettles
Bradford	deGraffenried	Hawkins	Oden
Branyon	Edwards (Escambia)	Lee (Lawrence)	Simon
Brassell	Franklin	McNider	Steagall
Brewer	Gist	Mathews	Stembridge
Brown (Lamar)	Gregory	Money	Windle

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TENTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, April 6, 1955

The House did not meet pursuant to adjourn.

ELEVENTH DAY

House of Representatives
Montgomery, Alabama
Thursday, April 7, 1955

Pursuant to adjournment, the House did not meet today.

TWELFTH DAY

House of Representatives
Montgomery, Alabama
Friday, April 8, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend C. E. Barnes, Pastor, Forest Avenue Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Branyon	Cox	Edwards (Jefferson)
Adams	Brassell	Crook	Ferrell
Albea	Brewer	Davis	Franklin
Ashworth	Broadfoot	Dawkins	Gilchrist
Bagley	Brooks	deGraffenried	Gist
Bassett	Brown (Lamar)	Dement	Goodwyn
Boyd	Burkhalter	DeSear	Gregory
Bradford	Callahan	Dickson	Grouby
Brannan	Cornett	Edwards (Escambia)	Hain

Hall	Kendall	Meeks	Shumate
Haltom	Killough	Molette	Simon
Hanby	Kirkham	Money	Solomon
Hardy	Lackey	Murphy	Speaks
Hare	Law	Nettles	Steagall
Harrison	Lee (Barbour)	Nice	Stembridge
Harvey	Lee (Lawrence)	Oakley	Stokes
Hawkins	Locke (Choctaw)	Oden	Summerlin
Hodges	Locke (Perry)	Payne	Taylor
Holliman	Love	Perry	Thomas
Huddleston	McClendon	Pirkle	Tyson
Hunt	McKay	Pruitt	Vacca
Jenkins	McLendon	Ramey	Ward
Johnson (Elmore)	McNider	Reynolds	Windle
Johnson (Tallapoosa)	Martin	Richardson	Wood
Kelly	Mathews	Selman	

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the ninth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the ninth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the ninth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

H.B. 69. To provide for payments out of the county treasury to supplement the salaries of supernumerary circuit judges in any judicial circuit now or hereafter composed of one county and having not less than four nor more than nine circuit judges.

By a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 24, Nays 0.

And said Bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 24, Nays 0.

And said Bill, together with the amendment proposed by His Excellency, the Governor, is herewith returned to the House.

J. E. SPEIGHT
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 32. Expressing sympathy at the passing of Honorable William H. Holcombe.

J. E. SPEIGHT
Secretary

OFFICE OF
CLERK OF THE SUPREME COURT
STATE OF ALABAMA
MONTGOMERY

J. Render Thomas
Clerk

April 6, 1955

Honorable Robert T. Goodwyn, Jr., Clerk
House of Representatives
State Capitol
Montgomery, Alabama

Dear Sir:

Enclosed are two copies of the Opinion of a majority of the Justices of the Supreme Court in response to Inquiry of House of Representatives by House Resolution No. 24 concerning H.B. No. 85.

Yours very truly,
J. Render Thomas,
Clerk Supreme Court

JRT/1h

SUPREME COURT OPINION

Received, read and ordered filed.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolutions, to-wit:

H. 39. Relating to Marion County; levying a county privilege license tax on electric and hydro-electric public utilities, providing for the collection and enforcement of such tax and for the distribution and use of the proceeds thereof.

Also:

H. 78. To authorize and empower the county governing body in any County of this State, having a population of not less than 94,000 and not more than 134,000, according to the last or any subsequent Federal Decennial Census, to employ one or more Probation officers, to work with Courts in such Counties having jurisdiction of juvenile offenders, and to authorize the payment of the salary and expenses of such Probation officer, and to authorize and empower municipalities in such Counties to join with such Counties in the payment of the salaries and expenses of such Probation officer.

Also:

H.J.R. 28. Relative to notifying the Highway Patrol and chief of police of every municipality along the route of each emergency trip of ambulances.

Also:

H.J.R. 29. Relative to appointing a committee from the House and Senate to look after Fort Morgan and its installations.

Also:

H.J.R. 30. Relative to extending sympathy to the widow and family of Dr. George Hutcheson Denny who died April 2, 1955.

And finds same correctly enrolled.

RANKIN FITE,
Chairman

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced,

By Mr. Albea:

H.J.R. 33. WHEREAS the late Tom T. Bagley of Calhoun County, served the people of the State of Alabama as a duly elected member of the State House of Representatives from Calhoun County from 1938 to 1942 and from 1942 to 1946, and

WHEREAS his splendid service and his faithful representation are considered noteworthy and of the highest standards, and

WHEREAS he departed this life on September 30, 1951, and

WHEREAS his death is deeply mourned by the members of the Legislature:

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives, the Senate concurring:

1. The members of the Legislature of Alabama deeply mourn the passing of the Honorable Tom T. Bagley.

2. The sympathy of the people of Alabama through their Legislative Representatives is hereby extended to the surviving members of his family and other bereaved relatives of the deceased.

3. That a separate page of the Journals of each House be set apart for the preservation of this joint resolution and as a memorial to the memory of the Honorable Tom T. Bagley.

4. The Clerk of the House is directed to transmit a duly authenticated copy of this resolution to the family of the deceased.

On motion of Mr. Albea the rules were suspended and H.J.R. 33 was adopted.

INTRODUCTION OF BILL

Upon a call of counties the following bill was introduced, read one time and referred to appropriate standing committee, as follows:

H. 88. By Mr. Summerlin

To reapportion the Legislature of Alabama.

Judiciary

BILLS ON THIRD READING

H. 83. To amend Act No. 39, S. 13, approved February 18, 1955 the Act abolishing the Board of Revenue of Lauderdale County and re-establishing a Court of County Commissioners, by repealing Section 8 of said Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Edwards ^(Escambia)	Johnson ^(Tallapoosa)	Oakley
Adams	Edwards ^(Jefferson)	Kelly	Oden
Albea	Ferrell	Kendall	Payne
Ashworth	Franklin	Killough	Perry
Bagley	Gilchrist	Kirkham	Pirkle
Bassett	Gist	Lackey	Ramey
Boyd	Goodwyn	Law	Reynolds
Bradford	Gregory	Lee ^(Barbour)	Richardson
Brannan	Grouby	Lee ^(Lawrence)	Selman
Branyon	Hain	Locke ^(Choctaw)	Shumate
Brassell	Hall	Locke ^(Perry)	Simon
Brewer	Haltom	Love	Solomon
Broadfoot	Hanby	McClendon	Steagall
Brown ^(Lamar)	Hardy	McKay	Stembridge
Burkhalter	Hare	McLendon	Summerlin
Callahan	Harrison	McNider	Taylor
Cornett	Harvey	Martin	Thomas
Cox	Hawkins	Molette	Tyson
Davis	Hodges	Money	Vacca
Dawkins	Huddleston	Murphy	Ward
deGraffenried	Hunt	Nettles	Windle
Dement	Johnson ^(Elmore)	Nice	Wood
DeSear			

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And the bill:

S. 11. Relating to Clarke County; creating the office of special deputy sheriff; and providing for the appointment, duties, salary, and manner of payment of the salary of such special deputy.

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dement	Jenkins	Payne
Adams	Edwards (Escambia)	Johnson (Elmore)	Perry
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Pirkle
Ashworth	Ferrell	Kelly	Ramey
Bagley	Franklin	Kendall	Reynolds
Bassett	Gilchrist	Killough	Richardson
Boyd	Gist	Kirkham	Selman
Bradford	Goodwyn	Lackey	Shumate
Brannan	Gregory	Law	Simon
Branyon	Grouby	Lee (Barbour)	Solomon
Brassell	Hain	Locke (Choctaw)	Steagall
Brewer	Hall	Locke (Perry)	Stembridge
Broadfoot	Haltom	McClendon	Summerlin
Brown (Lamar)	Hanby	McKay	Taylor
Burkhalter	Hardy	McLendon	Thomas
Callahan	Hare	Martin	Tyson
Cornett	Harvey	Molette	Vacca
Cox	Hawkins	Money	Ward
Davis	Hodges	Nettles	Windle
Dawkins	Huddleston	Oakley	Wood
deGraffenried	Hunt	Oden	

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And the bill:

H. 86. To amend Act No. 301, H. 595, approved July 27, 1951, which authorizes the clerk of the Circuit Court of Lee County to employ clerical assistance (1950-51 Acts, Vol. 1, page 596).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Tallapoosa)	Oakley
Adams	Edwards (Jefferson)	Kelly	Oden
Albea	Ferrell	Kendall	Payne
Ashworth	Franklin	Killough	Perry
Bagley	Gilchrist	Kirkham	Pirkle
Bassett	Gist	Lackey	Pruitt
Boyd	Goodwyn	Law	Ramey
Bradford	Gregory	Lee (Barbour)	Reynolds
Brannan	Grouby	Lee (Lawrence)	Richardson
Branyon	Hain	Locke (Choctaw)	Selman
Brassell	Hall	Locke (Perry)	Shumate
Brewer	Haltom	Love	Simon
Broadfoot	Hanby	McClendon	Solomon
Brown (Lamar)	Hardy	McKay	Steagall
Burkhalter	Hare	McLendon	Stembridge
Callahan	Harrison	McNider	Summerlin
Cornett	Harvey	Martin	Taylor
Cox	Hawkins	Molette	Thomas
Davis	Hodges	Money	Tyson
Dawkins	Hunt	Murphy	Vacca
deGraffenried	Jenkins	Nettles	Ward
Dement	Johnson (Elmore)	Nice	Windle
DeSear			

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REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill and House Joint Resolution, to-wit:

H. 69. To provide for payments out of the county treasury to supplement the salaries of supernumerary circuit judges in any judicial circuit now or hereafter composed of one county and having not less than four nor more than nine circuit judges.

Also:

H.J.R. 32. Relative to expressing sympathy at the passing of Honorable William H. Holcombe.
And finds same correctly enrolled.

RANKIN FITE
Chairman

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:

By Mr. Shelton:

S.J.R. 15. Whereas, there are increasing demands being made upon the government of the State of Alabama to provide additional or expanded services to various segments of our population, and

Whereas, such demands are accompanied by proposals for increased taxes to finance such expanded services and activities, and

Whereas, our people are mindful of the necessity to pay for the essential functions of government, but are becoming restless under the constantly increasing demands and counterdemands being made upon them; now therefore

Be it resolved by the Senate of Alabama, the House of Representatives concurring: That each of the various state agencies, departments, and local governmental units, in a spirit of objective self-analysis, perform such studies as may be necessary to determine the functions and operations which are non-essential, and which, therefore, may be eliminated without unduly impairing the operating effectiveness of the agency or governmental unit, and to determine such other economies as may be effected in its operation, and report such findings to the Legislature before approaching the Legislature for additional funds with which to operate.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 15 set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING RESUMED

S. 12 To provide for the protection of the Public Health and establish health standards and regulations governing the production, processing, handling, and distribution of milk for human consumption; requiring milk producers, processors, handlers, and distributors to obtain permits issued by the State Board of Health in conjunction with county boards of health; prescribing penalties.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Edwards ^(Escambia)	Kelly	Perry
Adams	Edwards ^(Jefferson)	Kendall	Pirkle
Albea	Ferrell	Killough	Pruitt
Ashworth	Franklin	Kirkham	Ramey
Bagley	Gilchrist	Lackey	Reynolds
Bassett	Gist	Law	Richardson
Boyd	Goodwyn	Lee ^(Barbour)	Selman
Bradford	Gregory	Lee ^(Lawrence)	Shumate
Brannan	Grouby	Locke ^(Choctaw)	Simon
Branyon	Hain	Locke ^(Perry)	Solomon
Brassel	Hall	Love	Steagall
Brewer	Haltom	McClendon	Stembridge
Broadfoot	Hanby	McKay	Stokes
Brooks	Hardy	McLendon	Summerlin
Burkhalter	Hare	McNider	Taylor
Callahan	Harrison	Martin	Thomas
Cornett	Harvey	Molette	Tyson
Davis	Hawkins	Money	Vacca
Dawkins	Hodges	Murphy	Ward
deGraffenried	Hunt	Nice	Windle
Dement	Jenkins	Oden	Wood
DeSear	Johnson ^(Elmore)	Payne	

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RECESS

On motion of Mr. Dawkins the House recessed until 11:45 o'clock A.M. The hour of 11:45 o'clock A.M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 68. To apply in all counties having a population of not less than 125,000 nor more than 400,000, according to the last or any subsequent federal decennial census; authorizing non-residents who are arrested for certain misdemeanors relative to the operation of motor vehicles on the public roads and highways to secure their release by posting a cash sum with the sheriff of the county in lieu of an appearance bond.

Also:

H. 80. To fix the salary of the director of the Legislative Reference Service.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 2. Relating to Colbert County: To abolish the office of County Commissioner of Public Schools; To establish and restore in Colbert County the office of County Superintendent of Education; To designate and appoint a County Superintendent of Education and fix his term of office; To provide for the election of his successor and successors; To provide for the term of office, qualifications, official bond, salary, compensation and allowances of the County Superintendent of Education; To define and prescribe the duties and functions of the County Superintendent of Education; To repeal Act No. 227 of the regular session of the Legislature of Alabama of 1953 relating to Colbert County, approved July 24, 1953, and all other laws and parts of laws in conflict with this Act; And to provide for a referendum election by the qualified electors of Colbert County to pass upon the question of whether they favor the adoption of the provisions of this Act.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Huddleston the House concurred in and adopted the Senate substitute for the bill, H. 2, said Senate substitute being as follows:

Substitute for H. B. 2

A B I L L T O B E E N T I T L E D A N A C T

Relating to Colbert County: To abolish the office of County Commissioner of Public Schools; To establish and restore in Colbert County the office of County Superintendent of Education; To provide for the election of a County Superintendent of Education; To provide for the term of office, qualifications, official bond, salary, compensation and allowances of the County Superintendent of Education; To define and prescribe the duties and functions of the County Superintendent of Education; To repeal Act No. 227 of the regular session of the Legislature of Alabama of 1953 relating to Colbert County, approved July 24, 1953, and all other laws and parts of laws in conflict with this Act; And to provide for a referendum election by the qualified electors of Colbert County to pass upon the question of whether they favor the adoption of the provisions of this Act. BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The office of County Commissioner of Public Schools created by Act No. 227 of the legislature of Alabama of 1953, approved

July 24, 1953, is hereby abolished and the office of County Superintendent of Education is hereby established and restored in Colbert County.

Section 2. The County Superintendent of Education of Colbert County shall have the same powers and authority and perform the same duties and functions as are now conferred upon and required of a County Superintendent of Education by the laws of Alabama.

Section 3. A County Superintendent of Education of Colbert County shall be elected at the general election to be held on the first Tuesday after the first Monday in November, 1956, and at the general election every fourth year thereafter, by the qualified voters of Colbert County, and shall hold office for a term of four years, beginning on the first day of July following his election and until his successor is elected and qualified.

Section 4. The County Superintendent of Education of Colbert County shall possess the same qualifications and shall receive the same salary, compensation and allowances as are now required of and provided for county superintendents of education by the law of Alabama; and his official bond shall be fixed and approved in the manner provided by Section 76 of Title 41 of the Code of Alabama of 1940, as amended.

Section 5. Act No. 227 of the regular session of the Legislature of Alabama of 1953 relating to Colbert County, Alabama, approved July 24, 1953, and entitled "An Act Relating to Colbert County, abolishing the office of County Superintendent of Education, and creating the office of County Commissioner of Public Schools in lieu thereof; providing for the election, term of office, duties and powers, and compensation of the County Commissioner of Public Schools, and conferring upon the Commissioner the powers, duties and functions of the County School Building Commission," and all other laws and parts of laws in conflict herewith, be, and the same are hereby, repealed.

Section 6. This Act shall not become operative unless a majority of the qualified electors of Colbert County voting in the election hereinafter provided to be held in Colbert County shall vote to adopt the provisions of this Act.

A special election is hereby called and shall be held in Colbert County on the last Tuesday in May, 1955. Notice of such election shall be given by the Sheriff of Colbert County not less than fifteen days before the date of said election. Except as herein otherwise provided, said election shall be held and conducted, the returns thereof made, the votes canvassed, the results declared, certificate given, and it shall be regulated in all respects, in accordance with the provisions of the law of Alabama relating to general elections.

On the ballot to be used at said election the question shall be: "Do you favor the adoption of the provisions of Act No. of the Legislature of Alabama (H. by Huddleston) approved, 1955?" (The appropriate numbers and date to be inserted).

If a majority of the votes cast at such election shall be in favor of the proposal to adopt the provisions of this Act, this Act shall become effective immediately upon the filing of the declaration of the result of the election in the office of the probate judge, but if a majority of the votes cast at such election shall be against said proposal, this Act shall have no effect.

In order to fill the vacancy that will exist in the office of County Superintendent in the event this Act is Approved, a special election shall

be held at the same time as this referendum to elect a County Superintendent of Education. Candidates in such election shall possess the same qualifications and shall submit the same proof of experience to the State Superintendent of Education that are now required of candidates for county superintendent of education under the general law of Alabama. If no candidate receives a majority of the votes cast at such election, a run-off election for such office shall be held on the first Tuesday in June 1955, at which the two candidates receiving the greatest number of votes in the first special election shall be candidates.

Notice of the time, place and object of the election for County Superintendent of Education shall be given by the sheriff by proclamation at least fifteen days before the date of the election. Such notice shall be published in a newspaper published in Colbert County and copies thereof shall be posted at the courthouse and at three other public places in the county.

The election shall be conducted, returns thereof made and the votes canvassed, results declared and certificate given in the same manner provided by general law for the conduct of elections for other county officers.

The County Superintendent elected at the special election herein provided for shall, if this Act is approved by a majority of the electors voting at the referendum election, take office immediately and serve until his successor is elected and qualified as provided in Section 3 of this Act.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Elmore)	Nice
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Oakley
Albea	Edwards (Jefferson)	Kendall	Oden
Ashworth	Ferrell	Killough	Payne
Bagley	Franklin	Kirkham	Pruitt
Bradford	Gist	Law	Ramey
Brannan	Goodwyn	Lee (Barbour)	Reynolds
Branyon	Gregory	Lee (Lawrence)	Richardson
Brassell	Hain	Locke (Choctaw)	Selman
Brewer	Hall	Locke (Perry)	Shumate
Broadfoot	Haltom	Love	Simon
Brooks	Hanby	McClendon	Solomon
Brown (Lamar)	Hardy	McKay	Speaks
Burkhalter	Hare	McLendon	Stokes
Callahan	Harrison	McNider	Summerlin
Davis	Harvey	Martin	Taylor
Dawkins	Hawkins	Mathews	Tyson
deGraffenried	Hodges	Meeks	Ward
Dement	Huddleston	Money	Windle
DeSear	Jenkins	Nettles	Wood

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House;

H. 57. To amend further Section 272 of Title 7, Code of Alabama (1940), which relates to the court reporter taking down the charge of in civil and criminal cases.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Simon the House concurred in and adopted the Senate amendment to the bill, H. 57, said Senate amendment being as follows:

Amendment of H.B. 57.

Strike out the semicolon appearing after the word "record" in the 12th line and substitute a period therefor.

Also, strike out the words "provided, however, that none of the foregoing provisions of this section shall be applicable in circuits which consist of only one county and have more than four judges."

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	DeSear	Jenkins	Nettles
Adams	Dickson	Johnson (Elmore)	Nice
Albea	Edwards (Escambia)	Johnson (Tallapoosa)	Oakley
Ashworth	Edwards (Jefferson)	Kendall	Oden
Bagley	Ferrell	Killough	Payne
Bassett	Franklin	Kirkham	Pruitt
Brannan	Gist	Lackey	Ramey
Branyon	Goodwyn	Law	Richardson
Brassell	Gregory	Lee (Barbour)	Selman
Brewer	Hain	Lee (Lawrence)	Shumate
Broadfoot	Hall	Locke (Choctaw)	Simon
Brooks	Haltom	Locke (Perry)	Solomon
Brown (Lamar)	Hanby	Love	Speaks
Burkhalter	Hardy	McClendon	Steagall
Callahan	Hare	McKay	Taylor
Cox	Harrison	McLendon	Tyson
Davis	Harvey	McNider	Ward
Dawkins	Hawkins	Martin	Windle
deGraffenried	Hodges	Mathews	Wood
Dement	Huddleston	Money	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 33. Relative to mourning the passing of the Hon. Tom T. Bagley and expressing sympathy to the family.

J. E. SPEIGHT,
Secretary

IN MEMORIAM
HONORABLE TOM T. BAGLEY
MEMBER OF THE HOUSE OF REPRESENTATIVES
OF
ALABAMA FROM CALHOUN COUNTY, ALABAMA
1938-1942
1942-1946

RESOLUTIONS

The following resolutions were introduced:

By Mr. Callahan:

H.R. 34. BE IT RESOLVED by the House that the Clerk of the House be instructed to prepare a list of all offices to be filled by election by the House in the next General Session and to have enough copies printed to be distributed to the members of the House.

On motion of Mr. Callahan the rules were suspended and H.R. 34 was adopted.

Also:

By Mr. Kendall:

A HOUSE RESOLUTION REQUESTING AN ADVISORY OPINION
OF THE JUSTICES OF THE SUPREME COURT

H.R. 35. BE IT RESOLVED by the House of Representatives, that the Justices of the Supreme Court of Alabama, or a majority of them, are hereby respectfully requested to give this body their written opinions concerning the following important constitutional questions which have arisen in connection with House 88, a bill now pending in the Legislature, which is set out in words and figures below.

To reapportion the Legislature of Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Representation in the House of Representatives of Alabama shall be apportioned among the several counties according to population, as follows: Those counties having less than 38,000 population according to the 1950 or any subsequent decennial federal census shall each have and elect one representative; those counties having 38,000 population and less than 80,000 population according to the 1950 or any subsequent decennial federal census shall each have and elect two representatives; those counties having 80,000 population and less than 130,000 population according to the 1950 or any subsequent decennial federal census shall each have and elect three representatives; those counties having 130,000 population and less than 200,000 population according to the 1950 or any subsequent decennial federal census shall each have and elect four representatives; those counties having 200,000 population and less than 400,000 population according to the 1950 or any subsequent decennial federal census shall each have and elect six representatives; those counties having 400,000 population according to the 1950 or any subsequent decennial federal census shall each have and elect six representatives; those counties having 400,000 population and less than 800,000 population according to the 1950 or any subsequent decennial federal census shall each have and elect nine representatives; those counties having 800,000 population or more according to the 1950 or any subsequent decennial federal census shall each have and elect ten representatives.

Section 2. The State is hereby divided into thirty-five senatorial districts, as follows, each district to have and elect one senator: First, Lauderdale and Limestone; second, Madison and Jackson; third, Lawrence and Morgan; fourth, Colbert and Franklin; fifth, Calhoun and Cleburne; sixth, Marion and Winston; seventh, Marshall and DeKalb; eighth, Lamar and Pickens; ninth, Fayette and Walker; tenth, Etowah

and Cherokee; eleventh, Blount and Cullman; twelfth, St. Clair and Talladega; thirteenth, Jefferson; fourteenth, Bibb and Tuscaloosa; fifteenth, Chilton and Shelby; sixteenth, Chambers and Randolph; seventeenth, Clay and Coosa; eighteenth, Macon and Tallapoosa; nineteenth, Lee and Russell; twentieth, Mobile; twenty-first, Henry and Houston; twenty-second, Barbour and Bullock; twenty-third, Crenshaw and Pike; twenty-fourth, Coffee and Dale; twenty-fifth, Butler and Lowndes; twenty-sixth, Autauga and Elmore; twenty-seventh, Covington and Geneva; twenty-eighth, Conecuh and Escambia; twenty-ninth, Baldwin and Monroe; thirtieth, Choctaw and Washington; thirty-first, Clarke and Wilcox; thirty-second, Dallas and Perry; thirty-third, Greene and Sumter; thirty-fourth, Marengo and Hale; thirty-fifth, Montgomery.

In districts consisting of more than one county the senator shall not be elected for more than one term, consecutively, from any one county in the district, but shall be elected, by the qualified electors of the entire district, alternately and in turn from each of the counties within the district. The first senator to be elected in such districts shall reside in the county first named herein.

Section 3. The members of the Legislature provided for in this Act shall be elected at the general election to be held in November, 1958, and every four years thereafter, until the Legislature is reapportioned as prescribed by law.

Question 1. Is the apportionment of representation in the Legislature as provided in the bill based on population as required by the provisions of Section 284 of the Constitution, as amended?

Question 2. Are the provisions of Section 2 of the bill violative of Section 47 of the Constitution?

Question 3. Would the Act provided by the bill be violative of Section 50 of the Constitution?

Question 4. Would the provisions of the Act as proposed by the bill be violative of Sections 197, 198, 200, 202, or 203 of the Constitution?

On motion of Mr. Kendall the rules were suspended and H.R. 35 was adopted.

RECESS

On motion of Mr. Johnson (Tallapoosa) the House recessed until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:00 o'clock P.M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 71. To amend Title 51, Sections 812, 815, 816, and 819, Code of Alabama 1940, as amended: To repeal Title 51, Sections 818, 827, 828, and 829, Code of Alabama 1940, which relate to premium tax on do-

mestic and foreign insurance companies: and to provide an effective date for this Act and penalties for non-compliance.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Hawkins the House concurred in and adopted the Senate substitute for the bill, H. 71, said Senate substitute being as follows:

Finance and Taxation Committee

Substitute for House Bill No. 71

A BILL TO BE ENTITLED AN ACT

To amend Title 51, Sections 812, 815, 816, and 819, Code of Alabama 1940, as amended: To repeal Title 51, Sections 818, 827, 828, and 829, Code of Alabama 1940, which relate to premium tax on domestic and foreign insurance companies: and to provide an effective date for this Act and penalties for non-compliance.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 812 of Title 51, Code of Alabama 1940 be and the same is hereby amended to read as follows:

"Section 812. Definitions.—As used in this article, unless the context or subject matter requires otherwise, the following words or terms have the meaning herein ascribed to them, respectively:

"(1) The term 'insurance company', as used in this article, shall include fire, life, benefit, accident, indemnity, fidelity, surety, guaranty, employer's liability, casualty, plate glass, burglary, automobile, tornado, cyclone, mutual aid or industrial company or association, reciprocal exchanges, or fraternal benefit societies or associations, or any other insurance company or association or society charging a premium for contracts entered into by such companies, associations, or societies. Provided however, the exemptions granted in Title 28, Chapter 9, Code of Alabama 1940 are applicable hereto and not included in this definition for societies or associations for which a license is not required to do business.

"(2) The term 'foreign insurance company', as used in this article, shall mean and include any insurance company organized under the laws of any country or of any state of the United States other than the State of Alabama.

"(3) The term 'domestic insurance company', as used in this article, shall mean and include any insurance company organized under the laws of the State of Alabama.

"(4) The term 'premiums', as used in this article, shall include all amounts received in cash or otherwise on risks in this State as consideration for insurance contracts, less: (a) insurance premiums returned, (b) reinsurance premiums from companies authorized to do business in Alabama and subject to the premium tax provided for in this article, (c) and dividends paid, applied, or left with the company to accumulate at interest.

"(5) The term 'annuity considerations', as used in this article, shall mean all sums received as consideration for annuity contracts."

Section 2. That Section 815 of Title 51, Code of Alabama 1940, be amended to read as follows:

"Section 815. Statement Required to be Filed.—Every insurance company desiring to engage in business in this State, in addition to complying with the requirements of this article, shall within the first sixty days of the calendar year, file with the Superintendent of Insurance a statement which shall show that the insurance company has complied with all the requirements of the law to authorize it to do business in this State, and shall also show the total amount of premiums and annuity considerations received by it for business done in this State for the preceding calendar year ending December thirty-first. Such statement shall be verified by the affidavit of an officer of the company having knowledge of the facts, and such company shall at the same time pay to the Superintendent of Insurance the amounts set out in this article."

Section 3. That Section 816 of Title 51, Code of Alabama 1940, as amended, be and the same is hereby amended to read as follows:

"Section 816. Amount of Tax on Foreign Companies. (a) Every foreign fire or marine or fire and marine insurance company shall pay a premium tax amounting to two and one-half dollars on each one hundred dollars and every other foreign insurance company, including foreign life insurance companies, shall pay an annual premium tax of one per cent (1%) on annuity considerations, and an annual premium tax of three per cent (3%) of any other premiums received by such foreign insurance company for business done in this State, whether the same are actually received by said company in this State or elsewhere, during the year ending the thirty-first of December preceding. The rate of tax on premiums shall be subject to reduction as hereinafter provided, and there shall be credited upon the tax so determined the full amount of all ad valorem taxes paid by the company for the tax year next preceding the filing of the return required hereby upon any real estate and the improvements thereon in the State of Alabama owned and at least fifty per cent (50%) occupied by the company for the full period of such tax year. Any foreign insurance company beginning business in the State of Alabama after January 1 of any calendar year shall, on or before the first day of March of the year succeeding the year of its entry, remit, with its statement to the Superintendent of Insurance, the taxes as required by this article on business written in Alabama for the preceding calendar year or fraction thereof in which it began business as a tax for such first year or fractional year; provided, that after any such insurance company has been operating in this State for one complete calendar year, it shall compute its business done in this State during said year and upon this basis it shall pay its taxes for that and the succeeding year. Each succeeding year the tax shall be based and paid upon business done in Alabama for the preceding calendar year, it being the intent and meaning of this article that such insurance companies shall pay their premium taxes on March 1 for such current year, except that the premium taxes for the first and second year shall be paid in the manner herein specifically provided: The premium taxes herein collected shall be deposited in the State Treasury to the credit of the General Fund from which the Legislature may appropriate funds for old age assistance purposes."

"(b) If the annual statement or other report required to be made by such foreign insurance company to the Alabama Department of Insurance, whose premiums are taxed under this article, for the

preceding calendar year shows such company to have invested at the close of said year in Alabama investments, as hereinafter defined, the requisite percentages of its total admitted assets, the rate of premium tax hereby levied on premiums shall be that shown in the following schedules. In determining such total admitted assets, there shall be deducted that percentage of such company's investments held as of December 31 in direct obligations of the United States of America as the total premiums collected and paid by the citizens of Alabama relate to the total premiums collected by the company:

Percentage of Company's Admitted Assets Invested In Alabama Investments	Applicable Rate of Premium Tax for Fire and/or Marine Insurance Companies	Applicable Rate of Premium Tax for all Other Insurance Com- panies Including Life Insurance Companies
Less than 1%	2.5%	3%
1% and Above But Less Than 2%	2.4%	2.9%
2% and Above But Less Than 3%	2.3%	2.8%
3% and Above But Less Than 4%	2.2%	2.7%
4% and Above But Less Than 5%	2.1%	2.6%
5% and Above But Less Than 6%	2.0%	2.5%
6% and Above But Less Than 7%	1.9%	2.4%
7% and Above But Less Than 8%	1.8%	2.3%
8% and Above But Less Than 9%	1.7%	2.2%
9% and Above But Less Than 10%	1.6%	2.1%
10% and Above	1.5%	2%

"(c) Alabama Investment, as used in this Section, shall mean any of the following investments: (1) Real estate in this State; (2) Bonds or interest-bearing warrants or other evidences of indebtedness of the State of Alabama, or of any county, city, town, school district, state educational institution, municipality or other sub-division of the State, or of any duly authorized agency, board or authority of the State of Alabama or of any political subdivision thereof; whether such agency, board or authority now exists or is hereafter created; (3) Stocks, bonds or other evidences of indebtedness of any housing or redevelopment authority organized under the Housing Authorities Law or Redevelopment Law of the State of Alabama, as from time to time established and amended; (4) Notes or bonds secured by mortgages or other liens on real estate or on leasehold interests in real estate in the State of Alabama; (5) Stocks, bonds, debentures, notes or other evidences of indebtedness of any corporation organized under the laws of the State of Alabama; (6) Notes, debentures, or other evidences of any indebtedness of any business operated as a sole proprietorship, partnership, or other legal entity, having its principal office and place of business in the State of Alabama; (7) Notes, bonds or other evidences of indebtedness secured by mortgage or other lien upon real estate situated in the State of Alabama and insured or guaranteed in whole or in part by the United States or any agency or instrumentality thereof, together with any bonds, debentures or other evidences of indebtedness of the United States or any agency or instrumentality thereof received and retained in whole or partial settlement of any such insurance or guaranty; (8) Collateral loans to Alabama residents or to others where at least one-half of the value of the collateral so pledged constitutes an Alabama Investment as defined herein; (9) Cash deposits in regularly established national or state banks in this State on the basis of the average monthly deposits throughout the calendar year; (10) Loans secured by policies on the lives of residents of the State of Alabama; (11) Share or share accounts of building and loan associations organized under the laws of the State of Alabama or in the shares or share accounts of Federal savings and

loan associations having their principal office in the State of Alabama; (12) Stocks, bonds, notes, debentures or other evidences of indebtedness of any corporation organized under the laws of any other state of the United States to the extent that the assets of such corporation located in the State of Alabama bear to the total assets of the corporation issuing such stocks, bonds, notes, or other evidences of indebtedness; (13) Stocks, bonds, notes or other evidences of indebtedness issued by railroad companies, public carriers or transportation companies, to the extent that its trackage or mileage in Alabama bears to the total trackage or mileage of such railroad, public carrier, or other transportation company; (14) That percentage of such company's investments in stocks, bonds, notes or other evidences of indebtedness of any telegraph, telephone, electric power company, or other public utility to the extent that the revenue of any such company from Alabama bears to the total revenue of such telegraph, telephone, electric power company, or other public utility."

Section 4. That Section 819 of Title 51, Code of Alabama 1940, as amended, be and the same is hereby amended to read as follows:

"Section 819. Tax to be Paid by Domestic Companies.—Every domestic insurance company shall pay to the Superintendent of Insurance on or before the first day of March, 1956, and annually thereafter, a premium tax equal to one-half ($\frac{1}{2}$) of one per cent (1%) of the premiums and annuity considerations received by such company for business done in this State during the preceding calendar year ending the thirty-first day of December, whether the same are actually received by said company in this State or elsewhere. The premium taxes herein collected shall be deposited in the State Treasury to the credit of the General Fund. Any such tax so determined shall be subject to credit and deduction of the full amount of all ad valorem taxes paid by the company for the tax year preceding the filing of the return required hereby upon any building and real estate in the State of Alabama owned and occupied in whole or in part by the company for the full period of such tax year as its principal office in the State of Alabama. Any domestic insurance company beginning business after January first of any calendar year, on or before March first of the year following the year beginning business, shall remit with its statement to the Superintendent of Insurance the taxes as required by this section on business written in Alabama for the preceding calendar year or fraction thereof in which it began business as a tax for such first year or fractional year; provided, that after any domestic insurance company has been operating in this State for one complete calendar year, it shall compute its business done in this State during said year, and upon this basis it shall pay its taxes for that and the succeeding year. Each succeeding year the tax shall be based and paid on business done in Alabama for the preceding calendar year as herein provided, it being the meaning and intent of this section that domestic insurance companies shall pay their premium taxes on March first for such current year, except that premium taxes for the first and second year shall be paid in the manner herein specifically provided."

Section 5. Every insurance company failing or neglecting to comply with the provisions of this Act shall be subject to a penalty of not less than One Hundred Dollars (\$100.00) nor exceeding Five Hundred Dollars (\$500.00), recoverable in an action brought by the Attorney General for the Superintendent of Insurance, and upon any such violation, the Superintendent of Insurance may revoke the license or certificate of authority of such company or refuse to issue a license or certificate of authority to such company for the purpose of doing an insurance business in this State, and the penalties recovered under the provisions of

this Section shall be paid into the State Treasury to the credit of the General Fund.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the part or parts which remain.

Section 7. All laws or parts of laws in conflict herewith are hereby repealed and Title 51, Sections 818, 827, 828, and 829, Code of Alabama 1940, are hereby expressly repealed.

Section 8. This Act shall become effective upon the first day of January after its passage and approval by the Governor or upon its otherwise becoming a law.

Yeas 74; Nays 19.

Yeas:

Mr. Speaker	Edwards ^(Escambia)	Johnson ^(Elmore)	Payne
Adams	Edwards ^(Jefferson)	Johnson ^(Tallapoosa)	Perry
Albea	Ferrell	Kelly	Pirkle
Ashworth	Franklin	Kendall	Pruitt
Bagley	Gist	Kirkham	Ramey
Bassett	Goodwyn	Lackey	Selman
Bradford	Gregory	Law	Shumate
Branyon	Grouby	Lee ^(Barbour)	Simon
Brassell	Hall	Lee ^(Lawrence)	Solomon
Broadfoot	Halton	Locke ^(Choctaw)	Speaks
Brooks	Hanby	Love	Steagall
Brown ^(Lamar)	Hare	McClendon	Stembridge
Burkhalter	Harrison	McNider	Summerlin
Callahan	Harvey	Martin	Thomas
Cox	Hawkins	Mathews	Tyson
Davis	Hodges	Money	Vacca
Dawkins	Huddleston	Murphy	Windle
deGraffenried	Hunt	Oden	Wood
Dement	Jenkins		

—74

Nays:

Messrs:	Crook	Killough	Molette
Boyd	DeSear	Locke ^(Perry)	Nettles
Brannan	Gilchrist	McKay	Nice
Brewer	Hain	McLendon	Richardson
Cornett	Hardy	Meeks	Stokes

—19

And said bill, H. 71, as amended by the Senate substitute, was again read at length and passed.

Yeas 73; Nays 16.

Yeas:

Mr. Speaker	Bassett	Brown ^(Lamar)	Dawkins
Adams	Branyon	Burkhalter	deGraffenried
Albea	Brassell	Callahan	Dement
Ashworth	Broadfoot	Cox	Edwards ^(Escambia)
Bagley	Brooks	Davis	Edwards ^(Jefferson)

Ferrell	Huddleston	Love	Selman
Franklin	Hunt	McClendon	Shumate
Gist	Jenkins	McNider	Simon
Goodwyn	Johnson (Elmore)	Martin	Solomon
Gregory	Johnson (Tallapoosa)	Mathews	Speaks
Grouby	Kelly	Money	Steagall
Hall	Kendall	Murphy	Stembridge
Haltom	Killough	Nice	Summerlin
Hanby	Kirkham	Oden	Thomas
Hare	Lackey	Payne	Tyson
Harrison	Law	Pirkle	Vacca
Harvey	Lee (Barbour)	Pruitt	Windle
Hawkins	Lee (Lawrence)	Ramey	Wood
Hodges			

—78

Nays:

Messrs:	Crook	McKay	Nettles
Boyd	Gilchrist	McLendon	Perry
Bragford	Hain	Meeks	Richardson
Brewer	Hardy	Molette	Stokes
Cornett			

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MESSAGE FROM THE SENATE**Mr. Speaker:**

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 11. Relating to Clarke County; creating the office of special deputy sheriff; and providing for the appointment, duties, salary, and manner of payment of the salary of such special deputy.

Also:

S. 12. To provide for the protection of the Public Health and establish health standards and regulations governing the production, processing, handling, and distribution of milk for human consumption; requiring milk producers, processors, handlers, and distributors to obtain permits issued by the State Board of Health in conjunction with county boards of health; prescribing penalties.

J. E. SPEIGHT,
Secretary

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE**Mr. Speaker:**

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S.J.R. 15. Relative to causing each of the various State Agencies, departments and local governmental units to perform such studies as may be necessary to determine non-essential functions and operations in these bodies in order that economies may be effected without impairing efficiency and to report findings in each instance to the Legislature before asking for additional funds with which to operate.

J. E. SPEIGHT,
Secretary

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message form the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 66. To amend further Section 457 of Title 51, Code of Alabama, 1940, as amended, which relates to privilege license taxes on persons engaged in the business of selling or installing air-conditioning plants and equipment; and to provide that this Act shall be retroactive.

Also:

H. 76. To fix the compensation of the county solicitor of Lowndes County.

Also:

H. 77. To authorize the governing body of Pickens County, Alabama, to call an election in said county for the purpose of determining whether or not the said governing body of Pickens County may levy an additional privilege or license and excise and sales tax equalling one-half of one cent or one-sixth of and otherwise paralleling, with like provisions in Pickens County, such State taxes as are levied by the State of Alabama by Sections 752 through Section 811 and Article 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama and the amendments thereto, except that only one-sixth of the state levy may be levied by said county and providing for the collection thereof and also providing that the revenues arising from any levy made by said governing body of said county under authority of this act shall be used for the hospitals in said county, for their repair, operation and maintenance, which hospitals are owned and operated by the Pickens County Hospital Association, and for such other and additional health purposes as the governing body of said county may deem meet and proper in said county.

Also:

H. 59. Relating to judicial procedure, and to provide for and regulate the selecting and impaneling of juries and alternate jurors in all criminal and quasi-criminal cases in the circuit courts in counties having a population of 400,000 or more according to the last or any future federal census; and to provide for the repeal of sections 221 to 227, both inclusive, of Title 62, Code of 1940, and of all Acts amendatory of said sections.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 47. To levy a license or privilege tax, in addition to all other taxes now imposed by law, on every person licensed under the provisions of Title 29 of the 1940 Code of Alabama who sells, stores, or receives for the purpose of distribution, malt or brewed beverages, and to provide how the tax shall be collected and distributed.

Also:

H. 45. To further provide for the general revenue; to amend Section 718, Title 51, Code of Alabama 1940, as amended; to amend Section 741, Title 51, Code of Alabama 1940; and to amend Section 751, Title 51, Code of Alabama 1940.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 46 To amend Sections 347, 348, and 350 of Title 51, Code of Alabama (1940), which relate to the rate of the corporation franchise taxes and the distribution of the proceeds thereof.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:

By Mr. Givhan

SJR 18. Resolved by the Senate, the House concurring, that S.B. 12, which has passed both Houses, be designated the "Givhan, Cooper, Davis (Lowndes), Hall, Brooks, Law, Solomon, Pirkle, Hardy, Hain, Molette, Goodwyn (Montgomery), Dawkins, Dickson Bill."

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Dawkins the rules were suspended and the House concurred in and adopted the S.J.R. 18 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 58. To further provide for the revenue of the State of Alabama and to appropriate same to the Public Welfare Trust Fund of the State of Alabama for old age assistance purposes.

J. E. SPEIGHT
Secretary.

SENATE MESSAGE

Mr. Haltom moved that the House non-concur in the Senate substitute for the bill, H. 58, and requested a Committee of Conference.

On the substitute motion of Mr. Hawkins the House concurred in and adopted the Senate substitute for the bill, H. 58, said Senate substitute being as follows:

FINANCE AND TAXATION COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 58

A BILL TO BE ENTITLED AN ACT

To further provide for the revenue of the State of Alabama and to appropriate same to the Public Welfare Trust Fund of the State of Alabama for old age assistance purposes.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In addition to all other taxes of every kind now imposed by law, and in addition to any marked-up price authorized or required by law, there is hereby levied and shall be collected a tax at the rate of ten per cent (10%) upon the selling price of all spirituous or vinuous liquors sold by the Alabama Alcoholic Beverage Control Board. The tax hereby imposed shall be collected by the Board from the purchaser at the time the purchase price is paid. In computing the proceeds of this tax, the board shall divide the total sales of spirituous and vinuous liquors made by it by a factor of 110 and multiply the quotient by 100 and by 10. An amount equal to the quotient multiplied by 100 shall be deposited in the State Treasury to the credit of the Alcoholic Beverage Control Board Store Fund; and an amount equal to the quotient multiplied by 10 shall be deposited in the State Treasury to the credit of the Public Welfare Trust Fund and shall be used for old age assistance purposes only, and is hereby appropriated therefor.

Section 2. That this Act shall become effective on the first day of the second month after its passage and approval of the Governor or upon its otherwise becoming a law.

Yeas 53; Nays 40.

Yeas:

Mr. Speaker	Callahan	Gist	Johnson (Elmore)
Ashworth	Cox	Gregory	Johnson (Tallapoosa)
Bassett	Davis	Hall	Kelly
Bradford	Dawkins	Harvey	Killough
Branyon	Dement	Hawkins	Kirkham
Brassell	DeSear	Hodges	Law
Brooks	Dickson	Hunt	Locke (Choctaw)
Brown (Lamar)	Edwards (Escambia)	Jenkins	Locke (Perry)
Burkhalter	Grouby	Ferrell	Love

McNider	Oakley	Reynolds	Stembridge
Mathews	Oden	Selman	Summerlin
Money	Pirkle	Shumate	Taylor
Nettles	Pruitt	Speaks	Wood
Nice			

—53

Nays:

Messrs:	Edwards ^(Jefferson)	Huddleston	Payne
Adams	Franklin	Kendall	Perry
Albea	Gilchrist	Lackey	Ramey
Bagley	Goodwyn	Lee ^(Barbour)	Richardson
Boyd	Hain	Lee ^(Lawrence)	Simon
Brannan	Haltom	McKay	Solomon
Brewer	Hanby	McLendon	Steagall
Broadfoot	Hardy	Meeks	Thomas
Cornett	Hare	Molette	Tyson
Crook	Harrison	Murphy	Windle
deGraffenried			

—40

PAIR ANNOUNCED

Mr. Vacca announced that he was paired with Mr. Kaul. If Mr. Kaul were present he would vote "nay" and Mr. Vacca would vote "yea."

And said bill, H. 58, as amended by the Senate substitute, was again read at length and passed.

Yeas 84; Nays. 11.

Yeas:

Mr. Speaker	Dement	Johnson ^(Elmore)	Oakley
Adams	DeSear	Johnson ^(Tallapoosa)	Oden
Ashworth	Dickson	Kelly	Payne
Bagley	Edwards ^(Escambia)	Kendall	Pirkle
Bassett	Ferrell	Killough	Pruitt
Boyd	Franklin	Kirkham	Ramey
Bradford	Gilchrist	Lackey	Reynolds
Brannan	Gist	Law	Richardson
Branyon	Gregory	Lee ^(Barbour)	Selman
Brassell	Grouby	Lee ^(Lawrence)	Shumate
Brewer	Hall	Locke ^(Choctaw)	Solomon
Broadfoot	Haltom	Locke ^(Perry)	Speaks
Brooks	Hanby	Love	Steagall
Brown ^(Lamar)	Hare	McKay	Stembridge
Burkhalter	Harrison	McLendon	Stokes
Callahan	Harvey	McNider	Summerlin
Cornett	Hawkins	Martin	Taylor
Cox	Hodges	Mathews	Thomas
Davis	Huddleston	Money	Vacca
Dawkins	Hunt	Nettles	Windle
deGraffenried	Jenkins	Nice	Wood

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Nays:

Messrs:	Goodwyn	Meeks	Perry
Crook	Hain	Molette	Simon
Edwards ^(Jefferson)	Hardy	Murphy	Tyson

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PAIR ANNOUNCED

Mr. Vacca announced that he was paired with Mr. Kaul. If Mr. Kaul were present he would vote "nay" and Mr. Vacca would vote "yea."

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House bills, to-wit:

H. 47. To levy a license or privilege tax, in addition to all other taxes now imposed by law, on every person licensed under the provisions of Title 29 of the 1940 Code of Alabama who sells, stores, or receives for the purpose of distribution, malt or brewed beverages, and to provide how the tax shall be collected and distributed.

Also:

H. 57. To amend further Section 272 of Title 7, Code of Alabama (1940), which relates to the court reporter taking down the charge of the judge in civil and criminal cases.

Also:

H. 68. To apply in all counties having a population of not less than 125,000 nor more than 400,000, according to the last or any subsequent federal decennial census; authorizing non-residents who are arrested for certain misdemeanors relative to the operation of motor vehicles on the public roads and highways to secure their release by posting a cash sum with the sheriff of the county in lieu of an appearance bond.

Also:

H. 80. To fix the salary of the director of the Legislative Reference Service.

Also:

H. 77. To authorize the governing body of Pickens County, Alabama, to call an election in said county for the purpose of determining whether or not the said governing body of Pickens County may levy an additional privilege or license and excise and sales tax equalling one-half of one cent or one-sixth of and otherwise paralleling, with like provisions in Pickens County, such State taxes as are levied by the State of Alabama by Sections 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama and the amendments thereto, except that only one-sixth of the state levy may be levied by said county and providing for the collection thereof and also providing that the revenues arising from any levy made by said governing body of said county under authority of this act shall be used for the hospitals in said county, for their repair, operation and maintenance, which hospitals are owned and operated by the Pickens County Hospital Association, and for such other and additional health purposes as the governing body of said county may deem meet and proper in said county.

Also:

H. 66. To amend further Section 457 of Title 51, Code of Alabama, 1940, as amended, which relates to privilege license taxes on persons engaged in the business of selling or installing air-conditioning plants and

equipment; and to provide that this Act shall be retroactive.

Also:

H. 2. Relating to Colbert County: To abolish the office of County Commissioner of Public Schools; To establish and restore in Colbert County the office of County Superintendent of Education; To provide for the election of a County Superintendent of Education; To provide for the term of office, qualifications, official bond, salary, compensation and allowances of the County Superintendent of Education; To define and prescribe the duties and functions of the County Superintendent of Education; To repeal Act No. 227 of the regular session of the Legislature of Alabama of 1953 relating to Colbert County, approved July 24, 1953, and all other laws and parts of laws in conflict with this Act; And to provide for a referendum election by the qualified electors of Colbert County to pass upon the question of whether they favor the adoption of the provisions of this Act.

And finds same correctly enrolled.

RANKIN FITE,
Chairman

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 45. To further provide for the general revenue; to amend Section 718, Title 51, Code of Alabama 1940, as amended; to amend Section 741, Title 51, Code of Alabama 1940; and to amend Section 751, Title 51, Code of Alabama 1940.

Also:

H. 46. To amend Sections 347, 348, and 350 of Title 51, Code of Alabama (1940), which relate to the rate of the corporation franchise taxes and the distribution of the proceeds thereof.

H. 76. To fix the compensation of the county solicitor of Lowndes County.

Also:

H. 71. To amend Title 51, Sections 812, 815, 816, and 819, Code of Alabama 1940, as amended: To repeal Title 51, Sections 818, 827, 828, and 829, Code of Alabama 1940, which relate to premium tax on domestic and foreign insurance companies: and to provide an effective date for this Act and penalties for non-compliance.

Also:

H.J.R. 33. Relative to extending sympathy to relatives of Honorable Tom T. Bagley.

Also:

H. 58. To further provide for the revenue of the State of Alabama and to appropriate same to the Public Welfare Trust Fund of the State of Alabama for old age assistance purposes.

Also:

H. 59. Relating to judicial procedure, and to provide for and regulate the selecting and impaneling of juries and alternate jurors in all criminal and quasi-criminal cases in the circuit courts in counties having a population of 400,000 or more according to the last or any future federal census; and to provide for the repeal of sections 221 to 227, both inclusive, of Title 62, Code of 1940, and of all Acts amendatory of said sections.

And finds same correctly enrolled.

RANKIN FITE,
Chairman

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:

By Mr. Lamberth

SJR 19. BE IT RESOLVED by the Senate, the House of Representatives concurring that a Committee composed of two members of the Senate, to be appointed by the Presiding Officer of the Senate, and three members of the House, to be appointed by the Speaker of the House, to wait upon the Governor and inform him that the Legislature now stands ready to adjourn sine die and awaits any further message that he might desire to transmit.

and the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Metcalf and Skidmore.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 19 set out in the above and foregoing Message from the Senate.

And the Speaker appointed as a Committee on the part of the House: Messrs. Edward (Escambia), Lackey and Broadfoot.

MESSAGE FROM THE GOVERNOR

Pursuant to S.J.R. 19, the Governor informed the Committee that he desired to transmit no further message.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S.J.R. 18. Relative to naming Senate Bill 12.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolution was introduced:

By Mr. Hawkins:

H.J.R. 36. BE IT RESOLVED by the House of Representatives, the Senate concurring, that the Legislature does now stand adjourned Sine Die.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 36 was adopted.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:10 A.M. on April 8, 1955

H. 39
H. 78
H.J.R. 28
H.J.R. 29
H.J.R. 30
H. 69
H.J.R. 32

Delivered to the Governor at 3:45 P.M. on April 8, 1955

H. 47
H. 57
H. 68
H. 80
H. 77
H. 66
H. 2
H. 45
H. 46
H. 76
H. 71

H.J.R. 33
H. 58
H. 59

R. T. GOODWYN, JR.,
Clerk

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twelfth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the twelfth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the twelfth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

HJR 36. Relative to sine die adjournment of the Legislature.

J. E. SPEIGHT,
Secretary.

ADJOURNMENT

Pursuant to the above resolution, H.J.R. 36, at 4:14 P.M., the Speaker declared the House adjourned sine die.

RANKIN FITE
Speaker of the House of Representatives of the Legislature of Alabama, Second Extraordinary Session, 1955

Attest:

R. T. GOODWYN JR.
Clerk of the House of Representatives of the Legislature of Alabama, Second Extraordinary Session. 1955.

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- Act approved June 12, 1935, Section 1, Act 129, fixing the compensation to be paid the Judge of Probate of Tuscaloosa County. H. 28, pp. 33-34, 43, 44, 75-76, 123, 126, 143-44.
- Act approved September 12, 1939, Section 10, Act 334, creating and establishing the Board of Revenue of Marion County. S. 5, pp. 107-08, 127, 161, 180-81.
- Act approved June 28, 1940, Act 594, relative to placing Sheriff of Mobile County on a salary basis; providing deputies, clerks and assistants for such officers. H. 15, pp. 23-25, 43, 69-70, 146, 147, 148, 163.
- Act approved July 5, 1940, Section 2, Act 669—"Alabama Motor Carrier Act of 1939." H. 37, pp. 45, 59, 92-93, 145, 147-48, 163.
- Act approved June 3, 1943, Act 99, relating to a tax on liquors. H. 58, pp. 61, 154, 188-91, 254-57, 259, 261.
- Act 515, General Acts of Alabama, Regular Session 1945, establishing the Employees' Retirement System of Alabama. H. 74, p. 113.
- Act approved June 23, 1945, Section 1 and Section 2, Act 156, relative to rate of premium tax paid by foreign and domestic insurance companies. H. 71, pp. 85, 154, 191-98, 246-52, 258, 259, 260.
- Act approved August 2, 1949, Act 323, providing for refund of portion of State tax paid on gasoline. H. 6, pp. 10-11, 60, 98-100, 150-51, 165, 208-09.
- Act approved August 2, 1949, Act 323, providing for refund of portion of State tax paid on gasoline. S. 1, pp. 82, 83, 112, 135-37, 153, 167-68.
- Act approved July 27, 1951, Act 301, authorizing the clerk of the Circuit Court of Lee County to employ clerical assistance. H. 86, pp. 169-70, 212, 213, 237.
- Act approved September 5, 1951, Act 703, creating the State Department of Public Welfare. H. 84, p. 157.
- Act approved September 5, 1951, Act 703, creating the State Department of Public Welfare. S. 14, p. 230.
- Act approved June 15, 1953, Section 1, Act 86, relative to method of compensating the Sheriff of Talladega County. H. 24, pp. 31-32.

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- Act approved August 1, 1951, Act 336, preventing the disclosure of the identity of persons summoned for jury service in Winston County. H. 31, pp. 35-36, 43, 44, 77.
- Act approved September 5, 1951, Act 694, relating to public welfare; providing for monetary contributions to the support of certain needy persons. H. 25, pp. 32, 41, 77-80.
- Act approved September 5, 1951, Act 694, relating to public welfare; providing for monetary contributions to the support of certain needy persons. H. 29, pp. 34-35.
- Act approved September 5, 1951, Act 694, relating to public welfare; providing for monetary contributions to the support of certain needy persons. S. 4, pp. 82-83, 154, 201-02, 223.
- Act approved July 24, 1953, Act 227, relating to Colbert County. H. 2, pp. 7-9, 41-42, 62-63, 240-42, 258, 260.
- Act approved September 19, 1953, Act 784, relating to commercial fishing gear. H. 87, p. 213.

Act approved February 18, 1955, Section 8, Act 39, abolishing the Board of Revenue of Lauderdale County and re-establishing a Court of County Commissioners. H. 83, pp. 155-56, 168-69, 236.

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"ALABAMA MOTOR CARRIER ACT OF 1939"

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BANKS

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Endorsing Senator Harry F. Byrd's plan for financing the construction of Interstate Highways, and commending him for his stand on S. 1160, which is pending in Congress. S.J.R. 13, pp. 228-30.

Expressing sympathy on death of Hon. Tom T. Bagley. H.J.R. 33, pp. 235-36, 243-44, 258, 259, 261.

Expressing sympathy on death of Hon. Geo. Hutcheson Denny. H.J.R. 30, pp. 211-12, 221, 222, 235, 260.

- Expressing sympathy on death of Hon. William H. Holcombe. H.J.R. 32, pp. 225, 233-34, 238, 260.
- Memorializing Congress to enact H.R. 3204, 84th Congress, 1st Session, which provides for a Floating Weather Station in the Gulf of Mexico. S.J.R. 8, pp. 167, 223.
- Memorializing Congress to Protect the Legislative Prerogatives of the States. S.J.R. 5, pp. 109-10.
- Naming Senate Bill 12. S.J.R. 18, pp. 254, 260.
- Notifying Senate that House is now in session and ready for transaction of business. H.R. 1, p. 5.
- Relating to a study of ways and means to tighten the administration of State tax laws to prevent evasions. H.J.R. 26, pp. 198-99, 207, 210, 231.
- Relative to binding the Acts and Journals of the last session and of this session of the Legislature in the same volumes as next session. H.J.R. 3, pp. 5, 41, 56, 80.
- Relative to causing each of the various State Agencies, departments and local governmental units to perform such studies as may be necessary to determine non-essential functions and operations in these bodies in order that economies may be effected without impairing efficiency. S.J.R. 15, pp. 238-39, 252-53.
- Relative to expense allowance for the subordinate officers and employees of the Legislature. H.J.R. 4, pp. 5, 53, 56, 80.
- Relative to giving legislative approval to the admission of the States of Delaware and West Virginia into the Southern Regional Education Compact. H.J.R. 16, pp. 101-02.
- Relative to Highway Patrol and chiefs of police furnishing escort along routes taken by ambulances on emergency trips. H.J.R. 28, pp. 211, 221, 235, 260.
- Relative to Interim Committee on Finance and Taxation. H.J.R. 6, pp. 36-37.
- Relative to inviting the Honorable Herman Talmadge, former Governor of Georgia, to address a joint session of the two Houses. S.J.R. 3, pp. 103-04, 119, 143, 147.
- Relative to making House Chamber available to the Youth Legislature. H.R. 19, p. 127.
- Relative to making investigation of the Coalson-Pinson case, which involves a quarantine imposed on certain cattle. H.J.R. 5, p. 36.
- Relative to obtaining necessary appropriations to proceed with an approved plan for development of the Alabama-Coosa Rivers from Mobile, Alabama, to Rome, Georgia, and stressing the importance of this development to the people of Alabama. S.J.R. 4, pp. 104-05, 147.
- Relative to preparing list of all offices to be filled by election by the House in the next General Session. H.R. 34, p. 245.
- Relative to resolving House into Committee of the Whole, H.R. 15, pp. 93-94.
- Requesting advisory opinion of Supreme Court on House Bill 39. H.R. 11, pp. 56-58, 123-24.
- Requesting advisory opinion of Supreme Court on House Bill 69. H.R. 17, pp. 108-09.
- Requesting advisory opinion of Supreme Court on House Bill 85. H.R. 24, pp. 183-84, 234.

Requesting advisory opinion of Supreme Court on H. 88. H.R. 35, pp. 245-46.

Requesting that State Superintendent of Education appoint a committee to estimate revenue that could be secured for school needs through different tax sources. H.R. 10, pp. 40-41.

Urging the appropriate Federal authorities to provide immediate financial assistance to the farmers of Alabama in emergency created by losses as a result of unseasonable weather. S.J.R. 9, pp. 181, 223.

RUSSELL COUNTY

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SECRETARY OF STATE

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SENATE

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SENATE BILLS

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S. 11, pp. 165-66, 167, 212, 236-37, 252.

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S. 13, pp. 184-85.

S. 14, p. 230.

SOCIAL SECURITY

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TAXATION

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Amending Act 323, approved August 2, 1949, providing for refund of portion of State tax paid on gasoline. H. 6, pp. 10-11, 60, 98-100, 150-51, 165, 208-09.

Amending Act 323, approved August 2, 1949, providing for refund of portion of State tax paid on gasoline. S. 1, pp. 82, 83, 112, 135-37, 153, 167-68.

Amending Sections 347, 348 and 350, Title 51, Code of Alabama 1940, relating to rate of corporation franchise taxes. H. 46, pp. 54, 153, 171-73, 178, 181-83, 201, 254, 258, 259, 260.

Amending Section 457, Title 51, Code of Alabama 1940, relating to privilege license taxes on persons selling or installing air conditioning plants and equipment. H. 66, pp. 84, 154, 203, 253, 257-58, 260.

Amending Section 619, Title 51, Code of Alabama 1940, relative to tax on recordation of mortgages, deeds, etc. H. 35, pp. 44-45.

Amending Sections 718, 741, 751, Title 51, Code of Alabama 1940, providing for general revenue. H. 45, pp. 54, 153, 173-78, 254, 258, 259, 260.

Imposing a surtax or surcharge of 10% upon certain taxes for old-age assistance. H. 72, p. 85.

Levying additional privilege license tax on persons, firms, or corporations engaging in insurance business in State. H. 44, p. 54.

Levying additional tax on vinous liquors. H. 54, p. 60.

Levying and imposing a dues tax on membership in certain organizations, associations, or clubs. H. 75, p. 114.

Levying license or privilege tax on persons licensed under provisions of Title 29, Code of Alabama 1940, who sells malt or brewed beverages. H. 47, pp. 54, 153-54, 185-88, 254, 257, 258, 260.

Levying trial tax of twenty-five dollars in divorce cases. H. 5, p. 10.

To provide for levy, assessment, collection and distribution of tax levied. H. 43, p. 53.

TUSCALOOSA COUNTY

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WINSTON COUNTY

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JOURNAL
OF THE
House of Representatives
OF THE
State Of Alabama

THIRD EXTRAORDINARY SESSION OF 1955



WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

SKINNER PRINTING COMPANY
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JOURNAL

OF THE

House of Representatives

OF

State Of Alabama

THIRD EXTRAORDINARY SESSION 1955

FIRST DAY

House of Representatives
Montgomery, Alabama
Wednesday, April 13, 1955

Be it remembered that on the 11th day of April, 1955, His Excellency, James E. Folsom, Governor of the State of Alabama, issued his proclamation convening the Legislature in extra session in words and figures as follows, to-wit:

A PROCLAMATION

BY THE

GOVERNOR

WHEREAS, there exists an extraordinary occasion in the State of Alabama which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Section 122 of the Constitution of Alabama of 1901:

NOW, THEREFORE, I, James E. Folsom, as Governor of the State of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the Seat of Government at the State Capitol in Montgomery, Alabama, at 12:00 o'clock Noon on Wednesday, April 13, 1955, and I do hereby designate the following subjects and matters to be considered and acted upon by said Legislature in extraordinary session assembled:

1. Legislation to submit to the qualified voters of this State at an election to be held as provided by law the question of whether or not a constitutional convention shall be called and held for the purpose of revising and amending the Constitution of this State.

2. Legislation providing for the election of delegates to a constitutional convention to be called and held in this State for the purpose of revising and amending the State Constitution.

3. Local legislation.

IN WITNESS WHEREOF I have hereunto set my hand as Governor of the State of Alabama and caused the Great Seal to be affixed, and have caused this proclamation to be attested by the Secretary of State, at the Capi-

tol, in the City of Montgomery, on this
the 11th day of April, 1955.

JAMES E. FOLSOM,
Governor.

(SEAL)

ATTEST:

MARY TEXAS HURT,
Secretary of State

In pursuance whereof, at the hour of 12 M. on Wednesday the 13th day of April, 1955, the Representatives in the Legislature of Alabama assembled in the Hall of the House of Representatives.

The House was called to order by Honorable Rankin Fite, Speaker of the House of Representatives.

PRAYER

The session was opened with prayer by Reverend Wm. D. O'Neal, Assistant Minister, Trinity Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards ^(Jefferson)	Kendall	Payne
Adams	Faulk	Killough	Perry
Albea	Ferrell	Kirkham	Pirkle
Ashworth	Franklin	Lackey	Pruitt
Bagley	Gist	Law	Ramey
Bassett	Goodwyn	Lee (Barbour)	Reynolds
Boyd	Gregory	Lee (Lawrence)	Richardson
Bradford	Grouby	Locke (Choctaw)	Roberts
Branyon	Hain	Locke (Perry)	Selman
Brassell	Hall	Love	Shumate
Brewer	Haltom	McClendon	Simon
Broadfoot	Hanby	McKay	Solomon
Brooks	Hardy	McLendon	Speaks
Brown (Lamar)	Hare	McNider	Steagall
Burkhalter	Harrison	Martin	Stembridge
Callahan	Harvey	Mathews	Stokes
Cox	Hodges	Meeks	Summerlin
Crook	Holliman	Molette	Taylor
Davis	Huddleston	Murphv	Thomas
Dawkins	Hunt	Nettles	Tyson
deGraffenried	Jenkins	Nice	Vacca
Dement	Johnson (Elmore)	Nolen	Ward
DeSear	Johnson (Tallapoosa)	Oakley	Windle
Dickson	Kaul	Oden	Wood
Edwards ^(Escambia)	Kelly		

—98

A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Brassell, leave of absence was granted to Mr. Cornett because of illness in his family.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Dawkins:

H.R. 1. BE IT RESOLVED by the House of Representatives that the Clerk of the House notify the Senate that the House is now in session and is ready for the transaction of public business.

On motion of Mr. Dawkins the rules were suspended and H.R. 1 was adopted.

Also:

By Mr. Dawkins:

H.J.R. 2. BE IT RESOLVED by the House of Representatives, the Senate concurring, that a Committee of three members of the House, to be named by the Speaker of the House, and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

BE IT FURTHER RESOLVED that said Committee ascertain from the Governor if he desires to address a joint session of the Legislature, and if so, report back to the Legislature the time most suitable to him.

On motion of Mr. Dawkins the rules were suspended and H.J.R. 2 was adopted.

And the Speaker named as a committee on the part of the House: Messrs. DeSear, Lee (Barbour) and Oakley.

RECESS

On motion of Mr. Dawkins the House recessed for forty-five minutes.

The House reconvened. The Speaker called the House to order.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,
O. H. FINNEY, JR.,
Executive Secretary

APRIL 13, 1955

To the Legislature of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

The first special session I ever called in my life was for the purpose of reapportioning the Legislature. This makes the sixth time that I have called a special session of the Legislature for the purpose of reapportioning the Legislature.

I have waited patiently for eight years for the Legislature to fulfill its duty to the people of Alabama in this matter.

The people of Alabama have waited forty-four years. In no uncertain terms, the overwhelming majority of the people of this State have voiced their approval time and again at the polls, electing candidates who supported reapportionment.

I would remind you that even the framers of the present Constitution in 1901 foresaw the need for periodic reapportionment and provided for same. They clearly charged the Legislature with the duty of reapportioning the Legislature every ten years. This responsibility has been rudely ignored for forty-four years. Not once has the Legislature been reapportioned since 1901.

There are those who would have you believe that fulfilling this provision of the Constitution is a dangerous thing. Such voices make a mockery of democracy. Our Constitution is the foremost law of our State. Reapportioning the State Legislature every ten years is one of the basic provisions of the Alabama Constitution, as well as the Federal Constitution.

The time is now at hand to take action to correct this long neglected mandate of our Constitution.

I urge each of you to seek Divine Guidance in your efforts to fulfill this all-important duty.

Be not fearful in good doing. Good has always been criticized since the beginning of man.

I bid you God speed in your work.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

Received, read and ordered inserted in the Journal.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to notify the House of Representatives that the Senate is now in Session and ready for the transaction of business.

J. E. SPEIGHT,
Secretary.

MOTION IN WRITING

Mr. Thomas offered the following Motion In Writing:

I move that the House do now adjourn until 11:00 A.M. Saturday April 16, 1955.

The substitute motion of Mr. Dawkins to adjourn until 10:00 A.M. Friday, April 15, 1955, was lost.

Yeas 38; Nays 50.

Yeas:

Mr. Speaker
Albea
Branyon
Brassell
Brewer
Broadfoot
Brown (Lamar)
Burkhalter
Callahan
Cox

Davis
Dawkins
deGraffenried
Dement
Edwards (Escambia)
Ferrell
Gist
Gregory
Haltom
Hanby

Hare
Hodges
Huddleston
Hunt
Kelly
Lee (Lawrence)
Mathews
Murphy
Nice

Nolen
Oden
Selman
Shumate
Simon
Stembridge
Tyson
Vacca
Ward

THIRD EXTRAORDINARY SESSION

7

Nays:

Messrs.:	Grouby	Law	Perry
Adams	Hardy	Lee (Barbour)	Pirkle
Ashworth	Harrison	Locke (Choctaw)	Pruitt
Bagley	Harvey	Locke (Perry)	Ramey
Bassett	Holliman	McClendon	Richardson
Boyd	Jenkins	McKay	Solomon
Bradford	Johnson (Elmore)	McNider	Steagall
Brooks	Johnson (Tallapoosa)	Martin	Stokes
DeSear	Kaul	Meeks	Summerlin
Dickson	Kendall	Molette	Taylor
Edwards (Jefferson)	Killough	Nettles	Thomas
Faulk	Kirkham	Oakley	Windle
Franklin	Lackey	Payne	

—50

And the motion of Mr. Thomas to adjourn until 11:00 A.M. Saturday, April 16, 1955, was adopted.

Yeas 54; Nays 36.

Yeas:

Messrs.:	Grouby	Law	Pirkle
Adams	Hardy	Lee (Barbour)	Pruitt
Ashworth	Harrison	Locke (Choctaw)	Ramey
Bagley	Harvey	Locke (Perry)	Reynolds
Bassett	Holliman	McClendon	Richardson
Boyd	Hunt	McKay	Roberts
Bradford	Jenkins	McNider	Solomon
Brooks	Johnson (Elmore)	Martin	Steagall
Callahan	Johnson (Tallapoosa)	Meeks	Stokes
DeSear	Kaul	Molette	Summerlin
Dickson	Kendall	Nettles	Taylor
Edwards (Jefferson)	Killough	Oakley	Thomas
Faulk	Kirkham	Payne	Windle
Franklin	Lackey	Perry	

—54

Nays:

Mr. Speaker	Davis	Hanby	Nolen
Albea	Dawkins	Hare	Oden
Branyon	deGraffenried	Hodges	Selman
Brassell	Dement	Huddleston	Shumate
Brewer	Edwards (Escambia)	Kelly	Simon
Broadfoot	Ferrell	Lee (Lawrence)	Stembridge
Brown (Lamar)	Gist	Mathews	Tyson
Burkhalter	Gregory	Murphy	Vacca
Cox	Haltom	Nice	Ward

—36

SECOND DAY

House of Representatives
Montgomery, Alabama
Friday, April 15, 1955

Pursuant to adjournment the House did not meet.

THIRD DAY

House of Representatives
Montgomery, Alabama
Saturday, April 16, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Marion S. Brantley, Pastor, Burge Memorial Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dickson	Johnson (Elmore)	Payne
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Perry
Albea	Faulk	Kaul	Pirkle
Ashworth	Ferrell	Kelly	Pruitt
Bagley	Franklin	Kendall	Ramey
Bassett	Gilchrist	Killough	Reynolds
Boyd	Gist	Kirkham	Richardson
Bradford	Goodwyn	Law	Roberts
Branyon	Gregory	Lee (Barbour)	Selman
Brassell	Grouby	Lee (Lawrence)	Shumate
Brewer	Hain	Locke (Choctaw)	Simon
Broadfoot	Hall	Locke (Perry)	Solomon
Brown (Lamar)	Haltom	McClendon	Speaks
Brown (Lee)	Hanby	McLendon	Steagall
Burkhalter	Hardy	Martin	Stembridge
Callahan	Hare	Mathews	Summerlin
Cornett	Harrison	Mathison	Taylor
Cox	Harvey	Meeks	Thomas
Crook	Hawkins	Molette	Tyson
Davis	Hodges	Murphy	Vacca
Dawkins	Holliman	Nettles	Ward
deGraffenried	Huddleston	Nice	Windle
Dement	Hunt	Oakley	Wood
DeSear	Jenkins	Oden	

—95

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the first legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the first legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:

By Mr. Robison:

SJR 3. BE IT RESOLVED by the Senate, the House concurring, that when the Senate adjourns today it adjourn to meet again on Tuesday, April 26, 1955; and when the House adjourns on tomorrow, Saturday, April 16, 1955 it adjourns to meet again on Tuesday, April 26, 1955; and that the members of the Legislature receive no pay and allowances for the period commencing April 17, 1955 through April 25, 1955; and in the event the House fails to concur in this joint resolution then the Senate shall meet again on Tuesday, April 19, 1955.

BE IT FURTHER RESOLVED that the Secretary of the Senate notify by wire each member of the Senate of the action of the House.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Dawkins the House non-concurred in the S.J.R. 3 set out in the above and foregoing Message from the Senate.

Yeas 57; Nays 36.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Ramey
Bassett	Ferrell	Johnson (Tallapoosa)	Reynolds
Branyon	Franklin	Kelly	Roberts
Brassel	Gist	Killough	Selman
Brewer	Goodwyn	Law	Shumate
Broadfoot	Gregory	Lee (Lawrence)	Simon
Brown (Lamar)	Hall	McClendon	Steagall
Brown (Lee)	Haltom	Mathews	Stembridge
Callahan	Hanby	Mathison	Summerlin
Cox	Hawkins	Murphy	Taylor
Davis	Hodges	Nice	Tyson
Dawkins	Holliman	Oden	Vacca
deGraffenried	Huddleston	Payne	Ward
Dement	Hunt	Pirkle	Wood
Dickson			

—57

Nays:

Messrs.:	DeSear	Kendall	Nettles
Adams	Faulk	Kirkham	Oakley
Albea	Grouby	Lee (Barbour)	Perry
Ashworth	Hain	Locke (Choctaw)	Pruitt
Bagley	Hardy	Locke (Perry)	Richardson
Boyd	Hare	McLendon	Solomon
Bradford	Harvey	Martin	Speaks
Burkhalter	Jenkins	Meeks	Thomas
Cornett	Kaul	Molette	Windle
Crook			

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PAIR ANNOUNCED

Mr. Harrison announced that he was paired with Mr. Nolen. If Mr. Nolen were present he would vote "yea" and Mr. Harrison would vote "nay."

MOTION ADOPTED

The motion of Mr. Hawkins to invite Governor James E. Folsom to address the members of the House at 11:30 o'clock today was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:

By Mr. Robison

SJR 5: BE IT RESOLVED By the Senate, the House concurring, that should the House concur in SJR 3 the Secretary of the Senate shall be allowed the services of the Assistant Secretary, the Second Assistant Secretary, Chief Clerk, Reading Clerk and Enrolling and Engrossing Clerk and fifteen assistants to be named by the Secretary of the Senate, and the Clerk of the House shall be allowed the services of the Assistant Clerk, 2nd Assistant Clerk, Chief Clerk, Reading Clerk and Enrolling-Engrossing Clerk and fifteen assistants to be named by the Clerk of the House. All of said assistants to be paid the same per diem and in the same manner as they are now paid during the recess covered under SJR 3.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The S.J.R. 5 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

COMMUNICATION FROM THE AMERICAN LEGION

Relative to members of the American Legion's Alabama Boys State meeting in the House Chamber on June 2, 1955.

Received, read and ordered filed.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Hawkins:

H.R. 3. BE IT RESOLVED By the House of Representatives that the American Legion Boys' State be allowed the use of the House Chamber for use of the Legion's youth legislators between the hours of 9:00 A.M., and 1:00 P.M. on June 2, 1955.

On motion of Mr. Hawkins the rules were suspended and H.R. 3 was adopted.

Also:

By Mr. Hawkins:

H.J.R. 4. BE IT RESOLVED By the House of Representatives, the Senate concurring, that the printed Journals and Acts of this Session of the Legislature, as well as the printed Journals and Acts of the first two Extraordinary Sessions, be bound respectively with the printed Journals and Acts of the regular session commencing in May.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 4 was adopted.

RESOLUTION BY STATE DEMOCRATIC EXECUTIVE COMMITTEE

LAW OFFICES

RAINS, RAINS, ACEE

GADSDEN, ALABAMA

Will G. Rains, 1884-1949

Albert M. Rains,

On Leave U.S. Congress

Hobdy G. Rains

827 Forrest Avenue

Telephone 6-6334

Wesley W. Acee, Jr.

April 13, 1955

Clerk of the House of Representatives
House of Representatives
State Capitol
Montgomery, Alabama

Dear Sir:

In accordance with instructions of the State Democratic Executive Committee, I am today forwarding to you a copy of the Resolution passed unanimously by said Committee on Saturday, April 9, 1955.

Yours very truly,

HOBDY G. RAINS
HOBDY G. RAINS
Secretary, State Democratic
Executive Committee

HGR:ES
ENS

RESOLUTION BY STATE DEMOCRATIC EXECUTIVE COMMITTEE

Received, read and ordered filed.

COMMUNICATION FROM THE SUPREME COURT
OFFICE OF
CLERK OF THE SUPREME COURT
STATE OF ALABAMA
MONTGOMERY

J. Render Thomas
Clerk

April 11, 1955

Hon. R. T. Goodwyn, Jr.,
Clerk of Alabama House of Representatives,
State Capitol
Montgomery, Alabama.

Dear Mr. Goodwyn

Your letter dated April 8th, 1955, enclosing a request for an opinion on House Bill No. 88 as set out in House Resolution No. 35 by the House of Representatives was received in this office on April 8th, 1955.

By order of the Court I am returning the request to you **unanswered** for the reason that the Court judicially knows that the Second Special Session of the Legislature of 1955 adjourned sine die on April 8th, 1955, and there would be no purpose in answering the request at this time.

Very truly yours,

J. Render Thomas,
J. Render Thomas
Clerk, Supreme Court

JRT:j

COMMUNICATION FROM THE SUPREME COURT

Received, read and ordered filed.

YOUTH LEGISLATURE OF ALABAMA RESOLUTION
HOUSE JOINT RESOLUTION

By Jerry Doss

BE IT RESOLVED by the House of Representatives, the Senate concurring that the Youth Legislature of Alabama does hereby express their appreciation to the Legislature of Alabama for making our Youth Legislature possible by their adjournment.

HOUSE OF REPRESENTATIVES

ADOPTED April 2, 1955

Yeas 106; Nays 0

Pat Etheridge, Clerk

SIGNED:

David Ellwanger
Speaker of the House

Jerry Rogers
Lt. Governor

Larry Seale
Governor

SENATE
April 2, 1955

ADOPTED

YEAS 35; NAYS 0.

Glenn Langston,
Secretary

YOUTH LEGISLATURE OF ALABAMA RESOLUTION

Received, read and ordered inserted in the Journal.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Thomas, Lee (Lawrence), Meeks, Roberts, Pirkle, Boyd, Perry, Solomon, Richardson, Windle, Faulk, Ashworth, Jenkins, Lackey, Locke (Perry), Dickson, McClendon, Hunt, Bagley, Lee (Barbour), Locke (Choctaw), Harrison, Crook, McLendon, Killough, Taylor, Love, Martin, Edwards (Escambia), Nettles, Law, Kendall, Ramey, Albea, Grouby, Franklin, Johnson (Tallapoosa), Harvey, Vacca, Payne, Callahan, Hardy, Molette, Reynolds, Kelly, Brewer, Haltom, Stokes, Adams, deGraffenried, DeSear, Huddleston, Steagall, Pruitt, Hare, Gregory, Oden, Gist, Kaul and Edwards (Jefferson)

H. 1. To make a conditional appropriation of one million dollars (\$1,000,000) for public welfare purposes.

Ways and Means

By Messrs. Dawkins, Mathews, Gregory, Ferrell, Shumate, Hodges, Selman, Dement, Brown (Lamar), Oden and Hawkins

H. 2. To appropriate the additional sum of Five Hundred Thousand Dollars (\$500,000.00) out of any moneys in the State Treasury not otherwise appropriated for the expenses of the present Legislature.

Ways and Means

By Messrs. Dawkins, Oden, Davis, Burkhalter, Cox, Fite, Shumate, Ferrell, Selman, Dement, Branyon, Brown (Lamar), Nolen, Gregory, Mathews and Hawkins

H. 3. To provide for the calling of a convention to revise and amend the Constitution of this state.

Constitution and Elections

By Messrs. Hunt and McClendon

H. 4. Relating to legislative representation; reapportioning the membership of the House of Representatives among the several counties of the State; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Constitution and Elections

By Messrs. Summerlin and Kendall

H. 5. To reapportion the Legislature of Alabama.

Constitution and Elections

By Messrs. Meeks, Perry, Kaul, Nice, and Vacca

H. 6. Relating to legislative representation; fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Constitution and Elections

By Messrs. Meeks, Perry, Kaul, Vacca, and Nice

H. 7. To reapportion the membership of the House of Representatives among the several counties of the State.

Constitution and Elections

By Mr. Haltom (With Notice and Proof)

H. 8. To amend Act No. 39, S. 13, approved February 18, 1955, the Act abolishing the Board of Revenue of Lauderdale County and re-establishing a Court of County Commissioners, by repealing Section 8 of said Act.

Local Legislation No. 1

Notice and Proof H. 8

STATE OF ALABAMA,
COUNTY OF LAUDERDALE.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act. No. 39, S. 13, approved February 18, 1955, the Act abolishing the Board of Revenue of Lauderdale County and re-establishing a Court of County Commissioners, by repealing Section 8 of said Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Act. No. 39, S. 13, approved February 18, 1955, the Act abolishing the Board of Revenue of Lauderdale County and re-establishing a Court of County Commissioners, is amended by repealing Section 8 thereof, which section is in words and figures as follows:

"Section 8. As long as control of roads, bridges and highways in Lauderdale County remains in the State Highway Department each commissioner of the Court of County Commissioners of Lauderdale County must be furnished a suitable vehicle by and at the expense of the State Highway Department to be used exclusively by the commissioners as a means of transportation while occupied in discharge of their duties as county commissioners, including going to and returning from their respective courts. Any such vehicles may be recalled, however, by the Highway Director in the event any commissioner uses such vehicle provided him for purposes other than as hereinabove stated."

Milton C. Grisham,
State Senator, First Senatorial
District, Lauderdale-Limestone Coun-
ties.

E. B. Haltom Jr.,
Member of House of Representatives
from Lauderdale
County, Place No. 2

Feb. 26; Mar. 5, 12, 19.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF LAUDERDALE.

Before me, the undersigned authority in and for said County in said State, this day personally appeared D. H. Bowling, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 26-March 5, March 12, and March 19, all in the year 1955.

D. H. BOWLING

Sworn to and subscribed before me March 19th., 1955.

L. H. BAKER
Notary Public

My Commission Expires August 2, 1955

SEAL

By Messrs. Harrison and Kendall:

H. 9. Proposing amendments of the Constitution of Alabama (1901) relating to representation in the Legislature.

Constitution and Elections

The above bill was read a first time at length as required by the Constitution.

By Messrs. Adams and Johnson (Tallapoosa):

H. 10. Proposing an amendment to the Constitution of Alabama relative to reapportionment of the House of Representatives.

Constitution and Elections

The above bill was read a first time at length as required by the Constitution.

By Messrs. Adams, Johnson (Tallapoosa), Law and Johnson (Elmore)

(With Notice and Proof):

H. 11. To apply in Elmore and Tallapoosa counties; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Notice and Proof H. 11

Local Legislation No. 1

STATE OF ALABAMA,
COUNTY OF ELMORE.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL

TO BE ENTITLED

AN ACT

To apply in Elmore and Tallapoosa counties; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any person duly licensed as provided in this Act may take, capture, and kill catfish from the public streams and impounded waters of Tallapoosa and Elmore counties for his domestic use or consumption by the use of baskets or nets, including wire mesh baskets having a mesh of one inch or more; provided, that no person shall be licensed to fish with more than four such baskets or nets.

Section 2. Any person desiring a license to fish for catfish with baskets or nets, including wire mesh baskets, may apply to the probate judge of Elmore County or Tallapoosa County, and shall pay a privilege license tax of one dollar for each basket he proposes to fish, not exceed-

ing four altogether. The probate judge shall issue such license on forms provided by the county governing body, and shall keep a permanent record of all licenses issued and all taxes received. Licenses shall be issued on a calendar year basis, and all licenses issued in any year shall expire on December 31 of each year.

Section 3. All revenues derived from the sale of licenses as provided in this Act shall be used by the county under the direction of the State Department of Conservation solely for stocking the streams and impounded waters in the county with game fish, or for the feeding and cultivation of game fish; provided, the probate judge may retain five per cent of all revenues collected for issuing such licenses and collecting such taxes.

Section 4. It shall be unlawful for any licensee to sell or offer to sell fish taken, captured or killed in a basket or net, including wire mesh baskets. Any person who violates this section shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by law; in addition to such punishment, the court trying the case shall revoke the license of such person.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 3-24-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA, COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Herve Charest, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of the Tallassee Tribune, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 24, March 31, April 7 and April 14, all in the year 1955.

HERVE CHAREST, JR.,

Sworn to and subscribed before me April 12, 1955.

WILLIAM I. BROACH, JR.,
Notary Public

LEGAL NOTICE

STATE OF ALABAMA, COUNTY OF TALLAPOOSA.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To apply in Elmore and Tallapoosa counties; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Section 1. Any person duly licensed as provided in this Act may take, capture, and kill catfish from the public streams and impounded waters of Tallapoosa and Elmore counties for his domestic use or consumption by the use of baskets or nets, including wire mesh baskets having a mesh of one inch or more; provided, that no person shall be licensed to fish with more than four such baskets or nets.

Section 2. Any person desiring a license to fish for catfish with baskets or nets, including wire mesh baskets, may apply to the probate judge of Elmore County of Tallapoosa County, and shall pay a privilege license tax of one dollar for each basket he proposes to fish, not exceeding four altogether. The probate judge shall issue such license on forms provided by the county governing body, and shall keep a permanent record of all licenses issued and all taxes received. Licenses shall be issued on a calendar year basis, and all licenses issued in any year shall expire on December 31 of each year.

Section 3. All revenues derived from the sale of licenses as provided in this Act shall be used by the county under the direction of the State Department of Conservation solely for stocking the streams and impounded waters in the county with game fish, or for the feeding and cultivation of game fish; provided, the probate judge may retain five per cent of all revenues collected for issuing such licenses and collecting such taxes.

Section 4. It shall be unlawful for any licensee to sell or offer to sell fish taken, captured, or killed in a basket or net, including wire mesh baskets. Any person who violates this section shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by law; in addition to such punishment, the court trying the case shall revoke the license of such person.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

3-15-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF TALLAPOOSA.

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 15, March 22, March 29, and April 5, all in the year 1955.

J. C. HENDERSON

Sworn to and subscribed before me this the 5th day April, 1955.

T. C. WOLSONCROFT,
Notary Public

My Commission Expires June 5, 1955

By Mr. Kelly (With Notice and Proof):

H. 12. Relating to Winston County: to provide further for the management and control of county funds and property; creating the office of county director of finance, and providing for his appointment, term of office, duties, powers, and compensation; prescribing budgetary, purchasing, and property control procedures; abolishing the offices of county treasurer and treasurer of the highway board.
Notice and Proof H. 12

Local Legislation No. 1

LEGAL NOTICE

A BILL

TO BE ENTITLED

AN ACT

Relating to Winston County: to provide further for the management and control of county funds and property; creating the office of county director of finance, and providing for his appointment, term of office, duties, powers, and compensation; prescribing budgetary, purchasing, and property control procedures; abolishing the offices of county treasurer and treasurer of the highway board.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby created the office of director of finance for Winston County.

Section 2. The director of finance, who must be a qualified elector of Winston County, shall be appointed by the Governor for a term of six years from a list of nominations submitted by the member of the Senate who represents Winston County, and the member of the House of Representatives from Winston County.

Section 3. The director of finance shall receive a total salary of five thousand dollars (\$5,000.00) per annum to be paid as follows: Two thousand five hundred dollars (\$2,500.00) per annum to be paid in equal monthly installments from the public road and bridge fund of the county; one thousand seven hundred fifty dollars (\$1,750.00) per annum to be paid in equal monthly installments from the general fund of the county; and seven hundred fifty dollars (\$750.00) per annum to be paid in equal monthly installments from public school funds of the county.

Section 4. The court of county commissioners shall provide the director of finance with the office space, equipment, postage, and other

supplies necessary for the performance of his duties as provided for by this Act.

Section 5. The director of finance shall have the authority to hire the assistants necessary to carry out the provisions of this Act. The compensation of such assistants shall be fixed by the director of finance, with the advice and consent of the highway board and the court of county commissioners. The compensation of each assistant shall be paid as follows: Fifty per cent of the total annual compensation of each assistant shall be paid in equal monthly installments from the public road and bridge fund of the county; thirty-five per cent of the total annual compensation of each assistant shall be paid in equal monthly installments from the general fund of the county; and fifteen per cent of the total annual compensation of each assistant shall be paid in equal monthly installments from the public school funds of the county.

Section 6. Before entering upon the discharge of his duties, the director of finance must give bond in the sum of twenty-five thousand dollars (\$25,000.00), such bond to be payable to Winston County and conditioned as prescribed by law for faithful performance of his duties, and recorded in the office of the judge of probate. Any penalty or forfeiture accruing to Winston County under the terms of the bond shall be apportioned among the public road and bridge fund, the County general fund, and the public school fund in accordance with the amount of loss suffered by each fund as a result of any act, or the failure to act, on the part of the director of finance. The premium on such bond shall be paid as follows: One-third of the amount of the premium shall be paid from the public road and bridge fund of the county; one-third of the amount of the premium shall be paid from the general fund of the county; and one-third of the amount of the premium shall be paid from the public school funds of the county.

Section 7. The director of finance shall perform the following duties:

(1) He shall install, maintain, and keep all accounting and reporting records required by law to be kept by both the highway board and the court of county commissioners.

(2) He shall prepare and present to the highway board for approval, not later than the second Monday in August of each year, an estimate of the revenues anticipated and of the required expenses of the highway board for the next succeeding fiscal year.

(3) He shall prepare and present to the court of county commissioners for approval, not later than the second Monday in August of each year, an estimate of the revenues anticipated and of the required expenses for the several divisions of the county government for the next succeeding fiscal year.

(4) He shall require the adoption of a budget by the highway board, and upon the adoption of a budget by the highway board, he shall be responsible for the execution of the budget, so adopted and shall audit all claims and insure that all expenditures from the public road and bridge fund are made in strict compliance therewith.

(5) He shall require the adoption of a budget by the court of county commissioners, and upon the adoption of a budget by the court of county commissioners, he shall be responsible for the execution of the budget so adopted, and shall audit all claims and insure that all expenditures of county funds are made in strict compliance therewith.

(6) He shall have direct control of, and responsibility for, all property of the county over which the highway board or court or county commissioners has authority, and he shall maintain and keep such property in repair at all times. All machinery, equipment, and other such property which is used in the construction and maintenance of county roads and bridges shall be kept in a central location designated by the director of finance, except when such machinery, equipment, or property is actually being used in the construction and maintenance of county roads and bridges.

(7) He shall maintain in a permanent record a perpetual inventory of all property of the county over which the highway board has authority, and he shall insure such property as the highway board may direct.

(8) He shall maintain in a permanent record a perpetual inventory of all property of the county over which the court of county commissioners has authority, and he shall insure such property as the court of county commissioners may direct.

(9) He shall receive and safely keep all funds of the county in their separate and proper accounts, as may be provided by law, in a depository designated by the court of county commissioners, and he shall disburse all funds of the county in the name of the highway board, or the court of county commissioners, as the case may be, on his signature as director of finance.

(10) He shall be charged with the safekeeping of all securities and investments of the county under the jurisdiction of either the highway board or the court of county commissioners, and shall have authority to rent, at the expense of the county and payable from the general fund of the county, ample and safe bank storage space to insure the safe keeping of such securities and investments.

(11) He shall, when he deems proper, examine or cause to be examined the accounts and records of any and all county offices from which revenue is derived; demand and receive all monies due the county from any such office; and institute proceedings for the recovery of money due the county against any defaulters.

(12) He shall, when he deems proper, examine or cause to be examined the accounts and records of any division of the county government disbursing or using county funds.

Section 8. The director of finance shall act as county custodian of school funds in the same manner and to the same extent as may be required by general law of county custodians of school funds.

Section 9. The director of finance is hereby charged with the duty of purchasing all supplies, materials, equipment and contractual services, excluding contracts for professional or other personal services, for Winston County which the highway board, court of county commissioners, and county board of education are authorized by law to purchase for use of the county. No purchases may be made for the use of the highway board or court of county commissioners, or for any office or department of the county government under the jurisdiction of either the highway board or court of county commissioners, except upon requisition signed by a majority of the members of the highway board or the court of county commissioners, as the case may be. No purchase for the use of the county board of education shall be made except upon requisition signed by the county superintendent of education. The county superintendent of education, however, in the management and expenditure of county school funds, shall continue to be governed by all general

and local laws applicable to him, except insofar as the provisions of this Act are applicable.

Section 10. The director of finance shall obtain at least three written, sealed, competitive bids for all purchases of supplies, materials, equipment and contractual services when the amount involved is five hundred dollars (\$500.00) or more. If the purchase involves an amount of less than five hundred dollars (\$500.00), the director of finance may make such purchases either upon the basis of sealed bids, or in the open market, in his discretion. It shall be a violation of this section to divide or otherwise adjust the quantity of a purchase to an amount less than five hundred dollars (\$500.00) for the purpose of evading the requirements of this section. Invitations for bids shall be posted on a bulletin board in the county court house and sent to prospective suppliers at least one week before the final date for submitting bids. Bids shall be opened publicly by the director of finance at the time and place stated in the invitations. The director of finance shall award the purchase to the lowest responsible bidder, or, if the public interest is best served thereby, he may reject all bids and purchase in the open market, if the price paid in the open market does not exceed that of the lowest responsible bidder. All bids, with the names of the bidders, shall be entered on a permanent record, and each record, with the successful bid indicated thereon, and with the reasons for the award if not awarded to the lowest bidder, shall, after the award of the order or contract, be open to public inspection. Preference shall be given to supplies, materials, and equipment produced or sold in Winston County, provided there is no loss in price of quality.

Section 11. The director of finance shall obtain information from the division of purchases and stores of the state department of finance relative to the items to be purchased by competitive bids; and if the state price is less than the lowest bid received, and if the delivery date is reasonable, all bids shall be rejected and the purchase shall be negotiated through the division of purchases and stores.

Section 12. In an emergency, a purchase may be made without competitive bids and without obtaining information from the division of purchases and stores. However, a full written account of the circumstances necessitating any such emergency purchase, together with a statement describing the item purchased and naming the vendor from whom the item was purchased shall be at once prepared by the director of finance and filed in his office. The provisions of this Act regarding competitive bidding and obtaining information from the division of purchases and stores may be waived for purchases of perishable commodities, utility services, and commodities and services for which there is no competitive situation.

Section 13. In the event of the sale, trade, or other disposition of any property of any kind or nature over which the highway board, court of county commissioners, or county board of education has authority, the director of finance shall follow the procedure outlined in this Act as it relates to the obtaining of written, sealed, competitive bids, and the sale, trade, or other disposition of such property shall be made in accordance with the most advantageous offer made for such property. In the event any such property is sold, traded, or otherwise disposed of, all bids, with the names of the bidders, shall be entered on a permanent record, and the record shall be open to public inspection.

Section 14. The court of county commissioners shall designate as the county depository an incorporated bank in Winston County, and all funds of the county, including public school funds, shall be placed in the depository so designated. The designation of the county depository, and

the management of county funds in the depository shall be made in the manner provided for by general law, except as otherwise provided for by this Act. All warrants drawn upon the depository, except for warrants drawn upon public school funds, must be signed by the director of finance, who shall be liable for any warrant drawn and paid by the depository for any funds, except public school funds, without the authority of law.

Section 15. The highway board, the court of county commissioners, and the county board of education shall continue to have the same powers and duties as provided by law, except as otherwise provided for by this Act.

Section 16. The office of the treasurer of the highway board, and the office of the county treasurer, are both hereby abolished. All books, records, equipment, supplies and other property under the authority and supervision of the treasurer of the highway board and the county treasurer shall immediately be transferred to the office of the director of finance upon the appointment of a director of finance.

Section 17. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 18. All laws or parts of laws which conflict with this Act are repealed.

Section 19. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

FA-12-21-28-14-11

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF WINSTON.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jay Thornton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Haleyville Advertiser, a newspaper of general circulation published in Winston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 21, Dec. 28, Jan. 4, and Jan. 11, all in the year 1954 and 55.

JAY THORNTON

Sworn to and subscribed before me April 12, 1955.

R. J. THORNTON,
Notary Public

MOTION IN WRITING

Mr. Crook offered the following MOTION IN WRITING:

I move that when the House adjourns today it adjourns to meet again at 12:00 o'clock noon, Wednesday April 20th 1955.

And the motion was adopted.

Yeas 86; Nays 7.

Yeas:

Mr. Speaker	Dickson	Johnson (Tallapoosa)	Payne
Adams	Edwards (Escambia)	Kaul	Perry
Albea	Faulk	Kelly	Pruitt
Bagley	Ferrell	Killough	Ramey
Bassett	Gilchrist	Kirkham	Reynolds
Boyd	Gist	Lee (Barbour)	Richardson
Bradford	Goodwyn	Lee (Lawrence)	Roberts
Branyon	Gregory	Locke (Choctaw)	Selman
Brassell	Grouby	Locke (Perry)	Shumate
Brewer	Hain	McClendon	Simon
Broadfoot	Hall	McLendon	Solomon
Brown (Lamar)	Haltom	Martin	Speaks
Brown (Lee)	Hardy	Mathews	Steagall
Burkhalter	Hare	Mathison	Stembridge
Cornett	Harrison	Meeks	Summerlin
Cox	Harvey	Molette	Taylor
Crook	Hodges	Murphy	Thomas
Davis	Holliman	Nettles	Tyson
Dawkins	Huddleston	Nice	Ward
deGraffenried	Hunt	Oakley	Windle
Dement	Jenkins	Oden	Wood
DeSear	Johnson (Elmore)		

—86

Nays:

Messrs.:	Callahan	Hanby	Pirkle
Ashworth	Franklin	Hawkins	Vacca

—7

ADDRESS BY THE GOVERNOR

The hour of 11:30 o'clock A.M. having arrived, the Honorable James E. Folsom, Governor of the State of Alabama, appeared and addressed the members of the House of Representatives.

His Excellency, the Governor, retired from the Hall of the House of Representatives. The Speaker then called the House to order

RESOLUTIONS

The following resolutions were introduced:

By Mr. Richardson:

H.R. 5. A RESOLUTION REQUESTING ADVISORY OPINIONS OF THE JUSTICES OF THE SUPREME COURT OF ALABAMA RELATIVE TO S. 2, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CALLING OF A CONVENTION TO REVISE AND AMEND THE CONSTITUTION OF THIS STATE.

RESOLVED BY THE HOUSE OF REPRESENTATIVES, that the Justices of the Supreme Court, or a majority of them, are respectfully requested to give this body their written opinions concerning the following important constitutional question which has arisen in connection with S. 2, by Messrs. Lamberth, Flowers, et al, a bill for an act to provide for the calling of a convention to revise and amend the Constitution of this State, which is now pending in the Legislature.

QUESTION 1. Do the provisions of Section 286 of the Constitution, as amended, prohibit the Legislature from providing that the delegates

to the proposed convention shall be elected on the same day as the election on the question of convention or no convention, as provided in said bill?

RESOLVED FURTHER, the Clerk of the House is directed to attach a true copy of S. 2 to this Resolution and transmit forthwith to the Clerk of the Supreme Court seven copies of the Resolution and bill.

On motion of Mr. Richardson the rules were suspended and H.R. 5 was adopted.

Also:

By Mr. Richardson:

H.R. 6. A RESOLUTION REQUESTING ADVISORY OPINIONS OF OF THE JUSTICES OF THE SUPREME COURT OF ALABAMA RELATIVE TO S. 2, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CALLING OF A CONVENTION TO REVISE AND AMEND THE CONSTITUTION OF THIS STATE

RESOLVED BY THE HOUSE OF REPRESENTATIVES, that the Justices of the Supreme Court, or a majority of them, are respectfully requested to give this body their written opinions concerning the following important constitutional question which has arisen in connection with S. 2, by Messrs. Lamberth, Flowers, et al, a bill for an act to provide for the calling of a convention to revise and amend the Constitution of this State, which is now pending in the Legislature.

QUESTION 1. Do the provisions of Section 3 of the bill providing that candidates for delegates must be nominated in a primary election violate Section 190 of the Constitution?

RESOLVED FURTHER, the Clerk of the House is directed to attach a true copy of S. 2 to this Resolution and transmit forthwith to the Clerk of the Supreme Court seven copies of the Resolution and bill.

On motion of Mr. Richardson the rules were suspended and H.R. 6 was adopted.

Also:

By Messrs. Harrison and Kendall:

H.R. 7. A RESOLUTION REQUESTING ADVISORY OPINIONS OF THE JUSTICES OF THE SUPREME COURT OF ALABAMA RELATIVE TO H.B. 9, A BILL TO BE ENTITLED AN ACT PROPOSING AMENDMENTS OF THE CONSTITUTION OF ALABAMA (1901) RELATING TO REPRESENTATION IN THE LEGISLATURE

RESOLVED BY THE HOUSE OF REPRESENTATIVES, that the Justices of the Supreme Court, or a majority of them, are respectfully requested to give this body their written opinions concerning the following important constitutional questions which have arisen in connection with H.B. 9, a bill for an act proposing amendments of the Constitution of Alabama (1901) relating to representation in the Legislature, which is now pending in the Legislature. A true copy of said bill is attached hereto and made a part of this resolution by reference.

QUESTION 1. Is it within the power of the Legislature to propose the amendments of the Constitution of 1901 as set out in said bill, or would such proposal contravene the provisions of Section 284 of the Constitution, as amended?

QUESTION 2. Does the Legislature have the power to propose an amendment to the Constitution repealing the last sentence in Section 284, as amended?

QUESTION 3. Do the proposed amendments change the basis of representation in the Legislature to other than a population basis contrary to the provisions of Section 284 of the Constitution, as amended.

RESOLVED FURTHER, the Clerk of the House is directed to attach a true copy of H.B. 9 to this Resolution and transmit forthwith to the Clerk of the Supreme Court seven copies of the Resolution and bill.

On motion of Mr. Harrison the rules were suspended and H. R. 7 was adopted.

ADJOURNMENT

On motion of Mr. Hawkins the House adjourned until Wednesday, April 20, 1955, at twelve o'clock, noon.

FOURTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, April 19, 1955

Pursuant to adjournment the House did not meet.

FIFTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, April 20, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Major Floyd M. Patterson, Chaplain, Maxwell Air Force Base, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Cornett	Hain	Kelly
Adams	Cox	Hall	Kendall
Albea	Crook	Haltom	Killough
Ashworth	Davis	Hanby	Kirkham
Bagley	Dawkins	Hardy	Law
Bassett	deGraffenried	Hare	Lee (Barbour)
Boyd	Dement	Harrison	Lee (Lawrence)
Bradford	DeSear	Harvey	Locke (Choctaw)
Brannan	Edwards (Escambia)	Hodges	Love
Branyon	Edwards (Jefferson)	Holliman	McClendon
Brasseli	Ferrell	Huddleston	McKay
Brewer	Franklin	Hunt	McLendon
Brooks	Gist	Jenkins	McNider
Brown (Lamar)	Goodwyn	Johnson (Elmore)	Martin
Brown (Lee)	Gregory	Johnson (Tallapoosa)	Mathews
Burkhalter	Grouby	Kaul	Mathison

Meeks	Perry	Selman	Summerlin
Money	Pirkle	Shumate	Taylor
Nettles	Pruitt	Solomon	Thomas
Nice	Ramey	Speaks	Vacca
Nolen	Reynolds	Steagall	Ward
Oakley	Richardson	Stembridge	Windle
Oden	Roberts	Stokes	Wood
Payne			

—93

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the third legislative day and finds the same to be correct.

RANKIN FITE,
Chairman

On motion of Mr. Dawkins, the reading at length of the Journal of the House for the third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the third legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Lamberth:

S. 1. To make an appropriation to pay the expenses of the Legislature.

Also:

By Messrs. Boutwell, Calvin, Little, Eddins, Reeves, Davis (Lowndes), Givhan, Robison, Coleman, James, Cooper, Davis (Pickens), Shelton, Tate, Engelhardt, Yarbrough (Randolph), Moses, Vann, Metcalf, Leonard, Yarbrough (Autauga), Smith, Skidmore, Dyar, Goodwin, Newton, Grisham and Jones:

S. 3. To make a conditional appropriation of one million dollars (\$1,000,000) for public welfare purposes.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 1. Ways and Means.

S. 3. Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 4. Relative to binding the Journals and Acts of the Special Sessions with the Journals and Acts of the Regular Session commencing in May.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:

By Mr. Allen:

S.J.R. 7. WHEREAS: Our nation and The World lost one of their greatest benefactors when on April 18 death claimed the renowned physicist, and author, Dr. Albert Einstein, whose theories of relativity revolutionized the scientific thinking of his age, whose discoveries made possible the development of the atom bomb and the electronic industries of today; who probably contributed more to the expansion of the Twentieth Century's knowledge than any other citizen of his age, and who stood ever ready to lend his great genius, his voice and his pen to causes he considered righteous.

NOW THEREFORE, BE IT RESOLVED by the Senate of Alabama, the House of Representatives Concurring, that the Legislature of Alabama mourns the passing of this great man and extends sympathy to the members of his family.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Vacca the rules were suspended and the House concurred in and adopted the S.J.R. 7 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:

By Mr. Engelhardt:

S.J.R. 9. WHEREAS, in past years Alabama has experienced several severe epidemics of poliomyelitis, and knows from bitter experience the toll that this dread crippler takes, and

WHEREAS, Dr. Jonas Salk has now perfected and offered to the public, free from any patent or other means of securing to himself any personal profit therefrom, a vaccine which has proved safe to use, and highly successful in preventing the crippling effects of poliomyelitis and curbing severe outbreaks of this disease, and

WHEREAS, there have been indications that the immediate need for Salk vaccine in the United States is far greater than the supply now available, or anticipated in the near future, and fear exists that a black market may develop in this commodity, now therefore

BE IT RESOLVED By the Senate of Alabama, the House of Representatives Concurring:

1. The Honorable Dwight D. Eisenhower, President of the United States, is hereby commended for his recent release of scientific information relative to the Salk vaccine to all the World and for his order that a survey be made to assure fair distribution of the vaccine, and at the same time memorialized to safeguard the presently available supply of this vaccine to the citizens of this country.

2. President Eisenhower is further memorialized to exert his influence, both personal and official, to establish and promote a system or plan by which the available supply of Salk vaccine will be equitably distributed to the States of the Union in such quantities that all persons in immediate need of the vaccine in every State and all children within the age brackets most susceptible to "polio" may be immediately immunized, and then in such quantities as will assure an adequate supply for every citizen of this country desiring immunization, regardless of age, to be immunized before any of the limited supply of this life-saving vaccine is exported to foreign countries.

3. The United States Department of Commerce is commended on its recent order banning shipment of the Salk vaccine to foreign countries without a license for each shipment, and urged to promulgate an even more rigid order completely banning shipments of this vaccine until the needs of this country have been met.

4. Mrs. Oveta Culp Hobby, Secretary of Health, Education and Welfare is memorialized to leave no stone unturned in her investigations pursuant to making the survey relative to methods of distribution of Salk vaccine and ways and means of forestalling a black market in it.

5. The Secretary of the Senate is directed to transmit copies of this Resolution to The Honorable Dwight D. Eisenhower, President of the United States; to the Honorable Sinclair Weeks, Secretary of Commerce, to The Honorable Oveta Culp Hobby, Secretary of Health, Education and Welfare, and to The Press.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. McLendon the rules were suspended and the House concurred in and adopted the S.J.R. 9 set out in the above and foregoing Message from the Senate.

BILLS ON SECOND READING

Mr. Branyon, Chairman of the Standing Committee on Constitution & Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

(With Amendment)

H. 3. To provide for the calling of a Convention to revise and amend the Constitution of this State.

Mr. Branyon, Chairman of the Standing Committee on Constitution & Elections, reported that said Committee in session had acted on the following bills and ordered same returned to the House, without recommendation, and they were severally read a second time and placed on the Calendar, to-wit:

(Without Recommendation)

H. 4. Relating to legislative representation; reapportioning the membership of the House of Representatives among the several counties of the State; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

(Without Recommendation)

H. 5. To reapportion the Legislature of Alabama.

(Without Recommendation)

H. 6. Relating to legislative representation; fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

(Without Recommendation)

H. 7. To reapportion the membership of the House of Representatives among the several counties of the State.

(Without Recommendation)

H. 9. Proposing amendments of the Constitution of Alabama (1901) relating to representation in the Legislature.

The above bill was read a second time at length as required by the Constitution.

(Without Recommendation)

H. 10. Proposing an amendment to the Constitution of Alabama relative to reapportionment of the House of Representatives.

The above bill was read a second time at length as required by the Constitution.

Mr. Bassett, Vice-Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 12. Relating to Winston County: to provide further for the management and control of county funds and property; creating the office of county director of finance, and providing for his appointment, term of office, duties, powers, and compensation; prescribing budgetary, purchasing, and property control procedures; abolishing the offices of county treasurer and treasurer of the highway board.

H. 11. To apply in Elmore and Tallapoosa counties; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Stokes:

H. 13. Proposing an amendment to the Constitution of Alabama providing for the number and election of state senators.

Constitution and Elections

The above bill was read a first time at length as required by the Constitution.

By Mr. Selman:

H. 14. Proposing to amend the Constitution of Alabama by creating a board of apportionment and defining its powers and duties.

Constitution and Elections

The above bill was read a first time at length as required by the Constitution.

RESOLUTION

The following resolution was introduced:

By Mr. Richardson:

H.R. 8. A RESOLUTION REQUESTING ADVISORY OPINIONS OF THE JUSTICES OF THE SUPREME COURT OF ALABAMA RELATIVE TO S. 2, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CALLING OF A CONVENTION TO REVISE AND AMEND THE CONSTITUTION OF THIS STATE

RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, that the Justices of the Supreme Court, or a majority of them, are respectfully requested to give this body their written opinions concerning the following important constitutional question which has arisen in connection with S. 2, by Messrs. Lamberth, Flowers, et al, a bill for an act to provide for the calling of a convention to revise and amend the Constitution of this State, which is now pending in the Legislature. A true copy of said bill is attached hereto and made a part of this resolution by reference.

QUESTION 1. If the Legislature has authority to issue a call for a Constitutional Convention under Section 286 of the Constitution, which would limit such Convention to a revision and amendment only of such sections of the Constitution of 1901 as affect representation in the Legislature of Alabama, and if the Convention should disregard the limited authority contained in the call by the Legislature, and should consider and adopt changes affecting or dealing with any subject other than representation in the Legislature of Alabama and the proposed Constitution containing such changes with respect to such other subjects be then submitted to the people and ratified by a majority of the electorate, would such provisions with respect to such other subjects become valid and effective Constitutional provisions?

RESOLVED FURTHER, the Clerk of the House is directed to attach a true copy of S. 2 to this Resolution and transmit forthwith to the Clerk of the Supreme Court seven copies of the Resolution and bill.

The motions of Mr. Richardson to suspend the rules in order to bring up for immediate consideration the above and foregoing H.R. 8 was lost.

Yeas 44; Nays 34.

Yeas:

Messrs.:	Bagley	Cornett	Edwards (Jefferson)
Adams	Boyd	Cox	Goodwyn
Albea	Brannan	Crook	Hain
Askworth	Brown (Lee)	DeSear	Halton

Hardy	Kirkham	Mathews	Pruitt
Hare	Lee (Barbour)	Meeks	Ramey
Harvey	Locke (Choctaw)	Nettles	Richardson
Hodges	McClendon	Nice	Roberts
Holliman	McKay	Oakley	Stokes
Huddleston	McLendon	Payne	Thomas
Kaul	Martin	Perry	Windle
Killough			

—44

Nays:

Mr. Speaker	Edwards (Escambia)	Kelly	Reynolds
Bradford	Franklin	Lee (Lawrence)	Selman
Branyon	Gist	Love	Shumate
Brassell	Gregory	McNider	Speaks
Brown (Lamar)	Grouby	Mathison	Steagall
Burkhalter	Hall	Money	Stembridge
Davis	Hanby	Nolen	Ward
Dawkins	Jenkins	Oden	Wood
Dement	Johnson (Tallapoosa)		

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And said resolution H.R. 8 was referred to the Standing Committee on Rules.

ADJOURNMENT

On motion of Mr. Dawkins the House adjourned until Thursday, April 21, 1955, at ten o'clock A.M.

SIXTH DAY

House of Representatives
Montgomery, Alabama
Thursday, April 21, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Lieutenant Eugene H. Englestad, Chaplain, Maxwell Air Force Base, Alabama.

ROLL CALL

On call of the roll of the House the following members answered to their names:

Mr. Speaker	Dement	Hare	Lee (Barbour)
Bassett	DeSear	Harrison	Lee (Lawrence)
Boyd	Dickson	Harvey	Locke (Perry)
Bradford	Edwards (Escambia)	Hodges	Love
Branyon	Edwards (Jefferson)	Holliman	McClendon
Brassell	Ferrell	Huddleston	McKay
Brewer	Franklin	Hunt	McLendon
Brooks	Gist	Johnson (Elmore)	Martin
Brown (Lamar)	Goodwyn	Johnson (Tallapoosa)	Mathison
Burkhalter	Gregory	Kaul	Meeks
Callahan	Grouby	Kelly	Money
Cox	Hall	Killough	Nettles
Davis	Haltom	Kirkham	Nice
Dawkins	Hanby	Law	Nolen

Oden
Perry
Ramey
Reynolds

Richardson
Roberts
Solomon
Speaks

Steagall
Stembridge
Stokes
Thomas

Vacca
Ward
Windle
Wood

—72

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Fifth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman

On motion of Mr. Dawkins, the reading at length of the Journal of the House for the fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the fifth legislative day was approved.

BILLS ON SECOND READING

Mr. Dawkins, Vice-Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 1. To make an appropriation to pay the expenses of the Legislature.

H. 2. To appropriate the additional sum of Five Hundred Thousand Dollars (\$500,000.00) out of any moneys in the State Treasury not otherwise appropriated for the expenses of the present Legislature.

BILLS ON THIRD READING

H. 12. Relating to Winston County: to provide further for the management and control of county funds and property; creating the office of county director of finance, and providing for his appointment, term of office, duties, powers, and compensation; prescribing budgetary, purchasing, and property control procedures; abolishing the offices of county treasurer and treasurer of the highway board.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker
Bassett
Boyd
Bradford
Branyon
Brassell
Brooks
Brown (Lamar)
Burkhalter

Callahan
Cox
Davis
Dawkins
Dement
Edwards (Escambia)
Edwards (Jefferson)
Ferrell
Franklin

Gist
Goodwyn
Gregory
Grouby
Hall
Haltom
Hanby
Harvey
Harrison

Hodges
Holliman
Huddleston
Hunt
Johnson (Elmore)
Johnson (Tallapoosa)
Kelly
Killough
Kirkham

Law	Martin	Oden	Steagall
Lee (Lawrence)	Mathison	Ramey	Stembridge
Locke (Perry)	Money	Reynolds	Vacca
Love	Nettles	Roberts	Ward
McClendon	Nice	Solomon	Windle
McKay	Nolen	Speaks	Wood
McLendon			

—61

And the bill:

H. 11. To apply in Elmore and Tallapoosa counties; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Franklin	Killough	Nolen
Bassett	Gist	Kirkham	Oden
Boyd	Gregory	Law	Ramey
Branyon	Grouby	Lee (Lawrence)	Reynolds
Brassell	Haltom	Locke (Perry)	Richardson
Brooks	Hanby	Love	Roberts
Brown (Lamar)	Harrison	McClendon	Solomon
Burkhalter	Harvey	McKay	Speaks
Callahan	Hodges	McLendon	Steagall
Cox	Holliman	Martin	Stembridge
Davis	Huddleston	Mathison	Stokes
Dement	Hunt	Money	Vacca
Edwards (Escambia)	Johnson (Elmore)	Nettles	Windle
Edwards (Jefferson)	Johnson (Tallapoosa)	Nice	Wood
Ferrell	Kelly		

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BILLS POSTPONED

On motion of Mr. Dawkins, consideration of the bill, H. 3, was postponed until the next legislative day without losing its place on the Calendar.

On motion of Mr. Meeks, consideration of the bills, H. 6 and H. 7, was postponed until the 8th legislative day without losing their places on the Calendar.

On motion of Mr. Harrison, consideration of the bill, H. 9, was postponed until the 8th legislative day without losing its place on the Calendar.

On motion of Mr. Lee (Barbour), consideration of the bill, H. 10, was postponed until the 8th legislative day without losing its place on the Calendar.

ADJOURNMENT

On motion of Mr. Dawkins the House adjourned until Friday, April 22, 1955, at ten o'clock A.M.

SEVENTH DAY

House of Representatives
Montgomery, Alabama
Friday, April 22, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Major E. M. Minor, Chaplain, Maxwell Air Force Base, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards (Jefferson)	Kaul	Oden
Adams	Faulk	Kelly	Payne
Albea	Ferrell	Kendall	Perry
Ashworth	Franklin	Killough	Pirkle
Bagley	Gist	Kirkham	Pruitt
Bassett	Goodwyn	Law	Ramey
Boyd	Gregory	Lee (Barbour)	Reynolds
Bradford	Grouby	Lee (Lawrence)	Richardson
Branyon	Hain	Locke (Choctaw)	Roberts
Bræssell	Hall	Love	Selman
Brewer	Haltom	McClendon	Shumate
Broadfoot	Hanby	McKav	Speaks
Brooks	Hardy	McLendon	Steagall
Brown (Lamar)	Harc	McNider	Stembridge
Callahan	Harrison	Martin	Stokes
Cornett	Harvey	Mathews	Summerlin
Cox	Hodges	Mathison	Taylor
Crook	Holliman	Meeks	Thomas
Davis	Huddleston	Money	Vacca
Dawkins	Hunt	Nettles	Ward
Dement	Jenkins	Nice	Windle
Dickson	Johnson (Elmore)	Nolen	Wood
Edwards (Escambia)	Johnson (Tallapoosa)	Oakley	

—91

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the sixth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman

On motion of Mr. Dawkins, the reading at length of the Journal of the House for the sixth legislative day was dispensed with and the re-

port of the Standing Committee on Rules was concurred in and adopted, and the Journal of the sixth legislative day was approved.

COMMUNICATION FROM SUPREME COURT

SUPREME COURT OF ALABAMA
Montgomery

April 22, 1955

Hon. R. T. Goodwyn, Jr.
Clerk of the House of Representatives

State Capitol
Montgomery, Alabama

My dear Sir:

In the past few days, the Supreme Court of Alabama has received several requests for advisory opinions concerning the constitutionality of Senate Bill No. 2 and House Bill No. 9. These bills were introduced in the present Special Session of the Legislature, which we are informed will probably recess on Friday of this week to reconvene sometime in July.

Inasmuch as the inquiries are of paramount importance to the entire state, the court wishes to invite amicus curiae briefs from all who desire to submit them within two weeks from this date. For that purpose, we are attaching hereto a list of the questions propounded to this court.

Very truly yours,

s/ J. ED LIVINGSTON
J. ED LIVINGSTON
Chief Justice

JEL/alm
Encl.

The following questions have been asked with respect to Senate Bill No. 2:

Do the provisions of Section 286 of the Constitution, as amended, prohibit the Legislature from providing that the delegates to the proposed convention shall be elected on the same day as the election on the question of convention or no convention, as provided in said bill?

Do the provisions of Section 3 of the bill providing that candidates for delegates must be nominated in the primary election violate Section 190 of the Constitution?

Do the provisions of Section 2 and Section 3 of the bill, which provide for an election on the question of "for convention" or "no convention" and further provide, at the time of said election, for the election of delegates to such convention infringe on the proviso contained in Section 286 of the Constitution to the effect that the question of "convention" or "no convention" shall first be submitted to a vote of all the qualified electors of the State and approved by a majority of those voting at such election?

In view of the provisions of Section 286 of the Constitution requiring that the question of "convention or no convention" shall be first submitted to a vote of all the qualified electors of the state and approved by a majority of those voting at such election, do Section 2 and Section 3 of said bill infringe on Section 286 of the Constitution by requiring a vote

on the question of "convention" or "no convention" at the same time that the election of delegates to such convention is held under the terms of Section 3 of said bill?

Under Section 286 of the Constitution, is it required that there shall be an election on the question of "for convention" or "no convention" at a date prior to the date on which the election of delegates to said convention can be held?

Do the provisions of Section 20 of the bill, which purport to limit the proposed constitutional convention to a revision and an amendment of only such sections of the Constitution of 1901 as affect representation in the Legislature of Alabama, infringe on the proviso contained in Section 286 of the Constitution relating to the plenary jurisdiction and power of the convention, when duly assembled, "To establish such ordinances and to do and perform such things as to the convention may seem necessary or proper for the purpose of altering, revising, or amending the existing Constitution"?

Would the provisions of Section 7 of the bill and of Section 286 of the Constitution authorizing the convention to frame a completely new Constitution, notwithstanding the limitation contained in Section 20 of the bill?

If the bill is duly enacted and the convention called by vote of the people, would the provisions of Section 20 constitute a valid restriction on the power of the convention?

If the bill is duly enacted, could the provisions of Section 15 requiring submission of the Constitution framed by the convention for ratification or rejection be disregarded, and a new Constitution be adopted without submitting the same for ratification or rejection by a vote of the qualified voters?

If the bill is duly enacted, could the convention amend the sections of the existing Constitution affecting representation in the Legislature without submitting the amendments to the voters for ratification or rejection?

The following questions have been asked with reference to House Bill No. 9.

Is it within the power of the Legislature to propose the amendments of the Constitution of 1901 as set out in said bill, or would such proposal contravene the provisions of Section 284 of the Constitution, as amended?

Does the Legislature have the power to propose an amendment to the Constitution repealing the last sentence in Section 284, as amended?

Do the proposed amendments change the basis of representation in the Legislature to other than a population basis contrary to the provisions of Section 284 of the Constitution, as amended?

COMMUNICATION FROM SUPREME COURT

Received, read and ordered inserted in the Journal.

INTRODUCTION OF BILLS

Upon a call of counties the following bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Mr. Selman:

H. 15. Creating a board of apportionment and defining its powers and duties.

Constitution and Elections

RESOLUTIONS

The following resolutions were introduced:

By Mr. Richardson:

H.R. 9. A RESOLUTION REQUESTING ADVISORY OPINIONS OF THE JUSTICES OF THE SUPREME COURT OF ALABAMA RELATIVE TO H.B. 3, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CALLING OF A CONVENTION TO REVISE AND AMEND THE CONSTITUTION OF THIS STATE

RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, that the Justices of the Supreme Court, or a majority of them, are respectfully requested to give this body their written opinions concerning the following important constitutional question which has arisen in connection with H.B. 3, by Messrs. Dawkins, Oden, Davis, et al, a bill for an act to provide for the calling of a convention to revise and amend the Constitution of this State, which is now pending in the Legislature. A true copy of said bill is attached hereto and made a part of this resolution by reference.

QUESTION 1. If the Legislature has authority to issue a call for a Constitutional Convention under Section 286 of the Constitution, which would limit such Convention to a revision and amendment only of such sections of the Constitution of 1901 as affect representation in the Legislature of Alabama, and if the Convention should disregard the limited authority contained in the call by the Legislature, and should consider and adopt changes affecting or dealing with any subject other than representation in the Legislature of Alabama and the proposed Constitution containing such changes with respect to such other subjects be then submitted to the people and ratified by a majority of the electorate, would such provisions with respect to such other subjects become valid and effective Constitutional provisions?

RESOLVED FURTHER, the Clerk of the House is directed to attach a true copy of H.B. 3 to this Resolution and transmit forthwith to the Clerk of the Supreme Court seven copies of the Resolution and bill.

On motion of Mr. Richardson the rules were suspended and H.R. 9 was adopted.

Also:

By Mr. Selman:

H.R. 10. A RESOLUTION REQUESTING ADVISORY OPINIONS FROM THE JUSTICES OF THE SUPREME COURT OF ALABAMA CONCERNING THE CONSTITUTIONALITY OF H.B. 15, A BILL FOR AN ACT CREATING A BOARD OF APPORTIONMENT AND DEFINING ITS POWERS AND DUTIES

RESOLVED by the House of Representatives, that the Justices of the Supreme Court of Alabama, or a majority of them, are hereby respectfully requested to give this body their written opinions concerning the constitutionality of H.B. 15, a bill to be entitled an act creating a board of apportionment and defining its powers and duties, a true copy of which is attached to this Resolution and made a part hereof by reference.

QUESTION 1. If duly enacted, would H.B. 15 be violative of Section 44 of the Constitution?

QUESTION 2. If duly enacted, would the Act violate the provisions of Article IX of the Constitution of 1901, which make it the duty of the Legislature to reapportion the Legislature after each federal decennial census?

QUESTION 3. Does the Legislature have the power to delegate to executive officers of the State its authority to reapportion representation in the Legislature?

RESOLVED FURTHER, that the Clerk of the House is directed to transmit forthwith seven copies of this Resolution, with a true copy of H.B. 15 attached to each, to the Clerk of the Supreme Court of Alabama.

On motion of Mr. Selman the rules were suspended and H.R. 10 was adopted.

Also:

By Mr. Dawkins:

H.J.R. 11. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Thursday, July 21, 1955.

BE IT FURTHER RESOLVED that the members of the Legislature shall not receive pay or allowance for this session during such recess.

On motion of Mr. Dawkins the rules were suspended and H.J.R. 11 was adopted.

BILLS ON THIRD READING

S. 1. To make an appropriation to pay the expenses of the Legislature.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Johnson (Tallapoosa)	Oden
Adams	Faulk	Kaul	Payne
Albea	Ferrell	Kelly	Perry
Ashworth	Franklin	Kendall	Pirkle
Bagley	Gist	Killough	Pruitt
Bassett	Goodwyn	Kirkham	Ramey
Boyd	Gregory	Law	Reynolds
Bradford	Grouby	Lee (Barbour)	Roberts
Brassell	Hain	Lee (Lawrence)	Selman
Brewer	Hall	Locke (Choctaw)	Shumate
Broadfoot	Haltom	McClendon	Speaks
Brooks	Hanby	McKay	Steagall
Brown (Lamar)	Hardy	McLendon	Stembridge
Callahan	Hare	McNider	Stokes
Cornett	Harrison	Martin	Summerlin
Cox	Harvey	Mathews	Taylor
Crook	Hodges	Mathison	Thomas
Davis	Holliman	Meeks	Vacca
Dawkins	Huddleston	Money	Ward
Dement	Hunt	Nettles	Windle
Dickson	Jenkins	Nice	Wood
Edwards (Escambia)	Johnson (Elmore)	Nolen	

And the bill:

H. 2. To appropriate the additional sum of Five Hundred Thousand Dollars (\$500,000.00) out of any moneys in the State Treasury not otherwise appropriated for the expenses of the present Legislature.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Payne
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Perry
Albea	Ferrell	Kelly	Pirkle
Ashworth	Franklin	Kendall	Pruitt
Bagley	Gist	Kirkham	Ramey
Bassett	Goodwyn	Law	Reynolds
Boyd	Gregory	Lee (Barbour)	Roberts
Bradford	Grouby	Lee (Lawrence)	Selman
Brassell	Hain	Locke (Choctaw)	Shumate
Brewer	Hall	McClendon	Speaks
Broadfoot	Halton	McKay	Steagall
Brooks	Hanby	McLendon	Stembridge
Brown (Lamar)	Hardy	McNider	Stokes
Callahan	Hare	Martin	Summerlin
Cornett	Harrison	Mathews	Taylor
Cox	Harvey	Mathison	Thomas
Crook	Hodges	Money	Vacca
Davis	Holliman	Nettles	Ward
Dawkins	Huddleston	Nice	Windle
Dement	Hunt	Nolen	Wood
Dickson	Jenkins	Oden	

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H.J.R. 4. Relative to binding the Journal and Acts of this Session with the first two extraordinary Sessions and the regular Session commencing in May.

And finds same correctly enrolled.

RANKIN FITE,
Chairman

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 1. To make an appropriation to pay the expenses of the Legislature.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S.J.R. 7. Relative to expression of the great loss to our Nation and the World and sympathy to the family in the death of the eminent scientist, Dr. Albert Einstein.

Also:

S.J.R. 9. Memorializing President Eisenhower to exert his influence both personal and official to establish and promote a system by which the supply of Salk Vaccine will be equitably distributed to the States of the Union for immediate immunization of all children of ages most susceptible to "polio", later to release to any other persons desiring immunization.

Commending the U. S. Dept. of Commerce on an order banning unlicensed foreign shipments of vaccine and for other means of prevention of "Black Market" practices.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 11. Relative to adjournment of the two Houses until Thursday, July 21, 1955 and further members of the Legislature not receiving pay or allowance during such recess.

J. E. SPEIGHT,
Secretary.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolution hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:40 A.M. on April 22, 1955. H.J.R. 4.

R. T. GOODWYN, JR.,
Clerk

ADJOURNMENT

On motion of Mr. Dawkins the House adjourned until Thursday, July 21, 1955, at twelve o'clock, noon.

EIGHTH DAY

House of Representatives
Montgomery, Alabama
Thursday, July 21, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend T. A. Russell, Pastor, Cloverdale Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Ferrell	Kelly	Perry
Adams	Franklin	Kendall	Pruitt
Albea	Gilchrist	Lackey	Ramey
Ashworth	Gist	Lee (Barbour)	Reynolds
Boyd	Goodwyn	Locke (Choctaw)	Richardson
Bradford	Gregory	Love	Roberts
Brannan	Grouby	McClendon	Simon
Branyon	Hain	McKay	Speaks
Brassell	Hall	McLendon	Steagall
Broadfoot	Hanby	McNider	Stembridge
Brown (Lamar)	Hardy	Martin	Stokes
Burkhalter	Harrison	Meeks	Summerlin
Dawkins	Harvey	Molette	Taylor
deGraffenried	Hawkins	Nettles	Thomas
Dement	Huddleston	Nice	Tyson
DeSear	Hunt	Nolen	Vacca
Dickson	Jenkins	Oakley	Ward
Edwards (Escambia)	Johnson (Elmore)	Oden	Windle
Edwards (Jefferson)	Kaul	Payne	Wood
Faulk			

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has

carefully examined the Journal of the House for the seventh legislative day and finds the same to be correct.

RANKIN FITE,
Chairman

On motion of Mr. Dawkins, the reading at length of the Journal of the House for the seventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the seventh legislative day was approved.

RECESS

On motion of Mr. Dawkins the House recessed for ten minutes. The House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration: By Mr. Flowers:

S.J.R. 10. WHEREAS, the members of the House and the members of the Senate have spent most of the year 1955 in the City of Montgomery, and

WHEREAS, the ginning season is upon us with its attendant business activity and burden on the merchants and farmers, and

WHEREAS, many members of the Legislature are engaged in this business and there is an urgent need that they be at home through this period, and

WHEREAS, the Thanksgiving Season and the Christmas Holidays will soon be upon us after the adjournment of the regular session, and

WHEREAS, the members of the Legislature earnestly desire a period in which they can remain at their homes and attend to their private business:

NOW THEREFORE BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING that when the two Houses adjourn today, they adjourn to meet again on Tuesday, 12 o'clock noon, Jan. 10th, 1956 and that the two Houses request that no Special Session be called during said recess.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Summerlin the rules were suspended in order to bring up for immediate consideration the S.J.R. 10 set out in the above and foregoing Message from the Senate.

Mr. Summerlin offered the following amendment to S.J.R. 10.

SUBSTITUTE FOR S.J.R. 10.

BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING, that when the two Houses adjourn today, they do adjourn sine die.

And the amendment to S.J.R. 10 was adopted.

And said S.J.R. 10, as amended, was adopted.

RECESS

On motion of Mr. Dawkins the House recessed until 1:05 o'clock this afternoon.

The House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has nonconcurred in the House amendment to the Resolution:

S.J.R. 10 Relative to adjournment of the Legislature until January 10, 1956 and requests Committee on Conference.

The President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Flowers, Metcalf and Van Antwerp.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Dawkins, the House acceded to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the House amendment to the resolution, S.J.R. 10.

And the Speaker named as a Committee of Conference on the part of the House Messrs. Hawkins, Dawkins and Summerlin.

REPORT OF THE CONFERENCE COMMITTEE ON THE
DISAGREEMENT BETWEEN THE TWO HOUSES ON
SENATE JOINT RESOLUTION NO. 10

To the House of Representatives
and Senate of Alabama

Your Conference Committee heretofore appointed on the disagreement of the two Houses on Senate Joint Resolution 10, begs leave to report as follows:

That the House recede from its amendment and that both Houses concur in and adopt the following:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the two Houses do now adjourn sine die.

SUMMERLIN
JOE M. DAWKINS
GEORGE C. HAWKINS
Conferees on the Part of the House

NIEL METCALF
GARET VAN ANTWERP
RICHMOND M. FLOWERS
Conferees on the Part of the Senate

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Brassell, the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on Senate Joint Resolution 10, said report being set out in the above and foregoing Report of the Conference Committee.

And said resolution, S.J.R. 10, as amended by the Report of the Committee of Conference, was again read and adopted.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eighth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman

On motion of Mr. Dawkins, the reading at length of the Journal of the House for the eighth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the eighth legislative day was approved.

ADJOURNMENT

On motion of Mr. Brassell the House adjourned sine die at 1:35 P.M.

Rankin Fite, Speaker of the House of Representatives of the Legislature of Alabama, Third Extraordinary Session, 1955.

Attest:

R. T. Goodwyn Jr., Clerk of the House of Representatives of the Legislature of Alabama, Third Extraordinary Session, 1955.

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JOURNAL
OF THE
House of Representatives
OF THE
State Of Alabama

REGULAR SESSION OF 1955



WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

SKINNER PRINTING COMPANY
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JOURNAL

OF THE

House of Representatives

OF THE

State Of Alabama

REGULAR SESSION OF 1955

FIRST DAY

State Capitol of Alabama
Montgomery, Tuesday, May 3, 1955

JOURNAL

of the House of Representatives of the State of Alabama, of the Regular Session of 1955, begun and held at the Capitol in the City of Montgomery, State of Alabama on the first Tuesday in May, 1955, being the third day of the month in the Year of Our Lord, One Thousand Nine Hundred and Fifty-Five, at 12 o'clock, M., on which day, the day fixed by law for the meeting of the Legislature of Alabama, was called to order by Hon. Rankin Fite, Speaker of the House of Representatives.

PRAYER

The session was opened with prayer by Reverend H. Frank Ledford, Pastor, West Woodlawn Methodist Church, Birmingham, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Cornett	Gregory	Johnson (Tallapoosa)
Adams	Cox	Grouby	Kaul
Albea	Crook	Hain	Kelly
Ashworth	Davis	Hall	Kendall
Bagley	Dawkins	Haltom	Killough
Bassett	deGraffenried	Hanby	Kirkham
Bradford	Dement	Hardy	Lackey
Brannan	DeSear	Hare	Law
Branyon	Dickson	Harrison	Lee (Barbour)
Brassell	Edwards (Escambia)	Harvey	Lee (Lawrence)
Brewer	Edwards (Jefferson)	Hawkins	Locke (Choctaw)
Broadfoot	Faulk	Hodges	Locke (Perry)
Brooks	Ferrell	Holliman	Love
Brown (Lamar)	Franklin	Huddleston	McClendon
Brown (Lee)	Gilchrist	Hunt	McKay
Burkhalter	Gist	Jenkins	McLendon
Callahan	Goodwyn	Johnson (Elmore)	McNider

Martin	Oakley	Roberts	Summerlin
Mathison	Oden	Selman	Taylor
Meeks	Payne	Shumate	Thomas
Molette	Perry	Simon	Tyson
Money	Pirkle	Solomon	Vacca
Murphy	Pruitt	Speaks	Ward
Nettles	Ramey	Steagall	Windle
Nice	Reynolds	Stembridge	Wood
Nolen	Richardson		

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Bassett, leave of absence was granted to Mr. Boyd because of illness in his family.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Dawkins:

H. R. 1. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, that the Clerk of the House notify the Senate that the House is now in session and is ready for the transaction of public business.

On motion of Mr. Dawkins the rules were suspended and H.R. 1 was adopted.

Also:

By Mr. Dawkins:

H.J.R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a joint session of the House and Senate be held at 1:00 o'clock today for the purpose of hearing the message of the Honorable James E. Folsom, Governor of Alabama.

RESOLVED FURTHER, that a committee of three from the House, to be named by the Speaker of the House, and a Committee of Two from the Senate, to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above for the purpose of receiving his message.

On motion of Mr. Dawkins the rules were suspended and H.J.R. 2 was adopted.

And the Speaker appointed as a committee on the part of the House Messrs. Martin, Brown (Lamar) and Brewer.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to notify the House of Representatives that the Senate is now in session and ready for the transaction of business.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:

By Mr. Lamberth:

S.J.R. 1: RESOLVED by the Senate, the House concurring, that a committee of two members of the Senate, to be appointed by the President of the Senate, and three members of the House, to be appointed by the Speaker of the House, to wait upon the Governor and notify him that the Legislature is now in regular session and to ascertain if he desires to address a Joint Session of the Legislature.

And the President and Presiding Officer of the Senate appointed as committee on part of the Senate Messrs. Cooper and Vann.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Dawkins the rules were suspended and the House concurred in and adopted the S.J.R. 1 set out in the above and foregoing Message from the Senate.

And the Speaker appointed as a committee on the part of the House Messrs. Martin, Brown (Lamar) and Brewer.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Resolution, and sends same herewith to the House for its consideration:

By Mr. Lamberth:

S.J.R. 2. RESOLVED by the Senate, the House concurring, that a committee of two members of the Senate, to be appointed by the President of the Senate, and three members of the House, to be appointed by the Speaker of the House, to notify the Governor that the Legislature will convene in the hall of the House of Representatives to hear any message that he desires to deliver, and that said committee shall act as escort to the Governor to such Joint Session.

And the President and Presiding Officer of the Senate appointed as Committee on Part of the Senate Messrs. Cooper and Vann.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Dawkins the rules were suspended and the House concurred in and adopted the S.J.R. 2 set out in the above and foregoing Message from the Senate.

And the Speaker appointed as a committee on the part of the House Messrs. Martin, Brown (Lamar) and Brewer.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Grouby, Hawkins, Fite, Dawkins, Nolen, Selman, Shumate, Goodwyn, Steagall, Burkhalter, Money, Wood, Branyon, Kelly, Cox, Ferrell, Haltom, Nice, Adams, Speaks, Davis, Huddleston, Vacca, Harrison, Brown (Lamar), Tyson, Simon, Hall, Lee (Lawrence), Ward, McNider, Bagley, Perry, Broadfoot, Stembridge, and Hanby:

H. 1. To amend Sections 20 and 21 of Title 30, Code of Alabama (1940), which relate to the qualifications of persons on jury rolls.

Judiciary.

By Messrs. Thomas, Lee (Barbour), Stembridge, Burkhalter, Nolen, Goodwyn, Gilchrist, Kelly, Huddleston, Broadfoot, Wood, Cox, Jenkins, Haltom, Solomon, Hawkins, Nice, Holliman, McKay, Selman, McLendon, Brannan, Steagall, Shumate, Pirkle, Cornett, Brewer, Lee (Lawrence), Ashworth, Harrison, Locke (Choctaw), Mathison, Branyon, Law, Hain, Ward, Oakley, Kirkham, Killough, Taylor, Crook, Gist, Nettles, Murphy, Simon, McNider, Bagley, Franklin, Kendall, Payne, Hall, Richardson, Oden, Albea, Edwards (Jefferson), Molette, Faulk, Dickson, Hardy, Grouby, Adams, and deGraffenried:

H. 2. Relating to public health; making an appropriation of one hundred thousand dollars to the State Health Department to pay the cost of inoculating indigent children with the Salk vaccine for polio.

Ways and Means.

By Messrs. Lee (Barbour) and Thomas (with notice and proof):

H. 3. To extend, alter and rearrange the boundary lines and corporate limits of the City of Eufaula, in Barbour County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 3:

LEGAL NOTICE

Notice is hereby given of intention to apply for passage of a local law for Barbour County, Alabama, at the regular session of the Legislature of Alabama which convenes in May, 1955, which local law reads as follows:

A BILL TO BE ENTITLED AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the City of Eufaula, in Barbour County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries and corporate limits of the City of Eufaula, in Barbour County, Alabama, be and the same are hereby extended, altered, and rearranged so as to include within the corporate limits and of said City all of the following described territory, lying and being in Barbour County, Alabama, viz:

The NE1-4 of the NW1-4, the NW1-4 of the NE1-4, the SE1-4 of the NW1-4, the SW1-4 of NE1-4, the NE1-4 of SW1-4 lying North of Chewalla Creek. The NW1-4 of the SE1-4 lying North of Chewalla Creek. The SE1-4 of the SW1-4 lying North of Chewalla Creek. The SW1-4 of the SE1-4 lying North of Chewalla Creek. Section 29, Township 11, Range 29.

The E1-2 of Section 6, Township 10, Range 29. The E1-2 of Section 7, Township 10, Range 29. The NW1-4 of the W1-2 of SW1-4 of Section 8, Township 10, Range 29. The S1-2 of Section 5, Township 10, Range 29. The S1-2 of Section 4, Township 10, Range 29. The S1-2 of the S1-2 of Section 31, Township 11, Range 29. N1-2 of NE1-4, Section 18, Township 10, Range 29. NW1-4 of NW1-4, Section 17, Township 10, Range 29.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 3-29, 4-5-12-19.

STATE OF ALABAMA,
BARBOUR COUNTY.

Before me, Mrs. J. M. Smith, a Notary Public in and for said State and County, personally appeared H. L. Upshaw, who being sworn, deposes and says on oath, that he is the Publisher of THE EUFULA TRIBUNE, a newspaper published semi-weekly in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice Legal was published in said newspaper 4 times, the same appearing in the issues dated: Mch. 29, Apr. 5-12-19, 1955.

H. L. UPSHAW.

Sworn to and subscribed before me this 26 day of April, 1955.

MRS. J. M. SMITH,
Notary Public, Barbour Co., Ala.

By Messrs. Killough and Taylor:

H. 4. To provide for a jury trial in any proceeding at law or in equity for the purpose of establishing disputed land lines or boundaries between coterminous owners of land.

¶ ¶

Judiciary.

By Mr. Albea:

H. 5. To amend Section 65 of Title 9, Code of Alabama (1940), providing for the recovery back of usurious interest paid.

Business and Labor.

By Mr. Burkhalter (with notice and proof):

H. 6. To alter or re-arrange the boundary lines of the Town of Centre, Cherokee County, Alabama, so as to include within the Corporate limits of said Town all territory now within such corporate limits and also certain other territory in Cherokee County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 6:

NOTICE

NOTICE IS HEREBY GIVEN of the intention to apply to the next Regular Session of the Legislature of Alabama, which will convene on May 3, 1955, for the passage of a local Act applicable to Cherokee County, Alabama, which Act is in substance as follows:

A BILL TO BE ENTITLED AN ACT

To alter or re-arrange the boundary lines of the Town of Centre, Cherokee County, Alabama, so as to include within the Corporate limits of said Town all territory now within such corporate limits and also certain other territory in Cherokee County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundary lines of the Town of Centre, Cherokee County, Alabama, be, and the same are hereby altered or re-arranged so

as to include within the corporate limits of said Town of Centre, Alabama, all territory now within such corporate limits and also certain other territory in Cherokee County, Alabama: all of which territory is more particularly described as being all of the territory lying within the County of Cherokee, State of Alabama, included and embraced within the boundaries herein set out, to-wit: Beginning at the northwest corner of Section 21, in Township 10 South, Range 9 East, and thence running East along and with the North boundary line of the Northwest Quarter of the Northwest Quarter of Section 21, in Township 10 South, Range 9 East, and to the northeast corner of the Northwest Quarter of the Northwest Quarter of Section 21, Township 10 South, Range 9 East; thence running North along and with the West boundary line of the Southeast Quarter of the Southwest Quarter of Section 16, Township 10 South, Range 9 East, to the northwest corner of the Southeast quarter of the Southwest quarter of Section 16, Township 10 South, Range 9 East; thence running East along and with the North boundary line of the Southeast Quarter of the Southwest Quarter, and the North boundary line of the South Half of the Southeast Quarter in Section 16, Township 10 South, Range 9 East; and the North boundary line of the South Half of the Southwest Quarter and the North boundary line of the South Half of the Southeast Quarter of Section 15, Township 10 South, Range 9 East, and to a point in the East boundary line of Section 15, Township 10 South, Range 9 East; then running North along and with the West boundary line of the Northwest Quarter of the Southwest Quarter of Section 14, in Township 10 South, Range 9 East, and to the northwest corner of the Northwest Quarter of the Southwest Quarter of Section 14, in Township 10 South, Range 9 East; thence running East along and with the North boundary line of the Northwest Quarter of the Southwest Quarter of Section 14, Township 10 South, Range 9 East, and to the northeast corner of the Northwest Quarter of the Southwest Quarter of Section 14, Township 10 South, Range 9 East, thence running North along and with the West boundary line of the Southeast Quarter of the Northwest Quarter of Section 14, Township 10 South, Range 9 East, and to the northwest corner of the Southeast Quarter of the Northwest Quarter of Section 14, Township 10 South, Range 9 East; thence running East along and with the North boundary line of the Southeast Quarter of the Northwest Quarter of Section 14, Township 10 South, Range 9 East, and to the northeast corner of the Southeast Quarter of the Northwest Quarter of Section 14, Township 10 South, Range 9 East, and thence running South along and with the east boundary line of the Southeast Quarter of the Northwest Quarter and the East boundary line of the Northeast Quarter of the Southwest Quarter of Section 14, Township 10 South, Range 9 East, and to the southeast corner of the Northeast Quarter of the Southwest Quarter of Section 14, Township 10 South, Range 9 East; thence running West along and with the South boundary line of the Northeast Quarter of the Southwest Quarter of Section 14, Township 10 South, Range 9 East, and to the southwest corner of said Northeast Quarter of the Southwest Quarter of Section 14, Township 10 South, Range 9 East; thence running South along and with the East boundary line of the Southwest Quarter of the Southwest Quarter Township 10 South, Range 9 East, and to a point in the north boundary line of the West Half of the Northwest Quarter of Section 23, in Township 10 South, Range 9 East, and to the southeast corner of the Southwest Quarter of the Northwest Quarter of said Section 23, Township 10 South, Range 9; thence running East along and with the North boundary line of the Northeast Quarter of the Southwest Quarter and the North boundary line of the Northwest Quarter of the Southeast Quarter of Section 23, Township 10 South, Range 9 East, and to the northeast corner of the Northwest Quarter of the Southeast Quarter of Section 23, Township 10 South, Range 9 East; thence running South along and with the East boundary line of the West Half of the Southeast Quarter of Section 23, in Township 10 South, Range 9 East, and to a point in the north boundary

line of Section 26, Township 10 South, Range 9 East; thence running East along with the North boundary line of the Northeast Quarter of the Northeast Quarter of Section 26, Township 10 South, Range 9 East, and to the northeast corner of the Northeast Quarter of the Northeast Quarter of Section 26, in Township 10 South, Range 9 East; thence running South along and with the East boundary line of Section 26, Township 10 South, Range 9 East, and to the southeast corner of the Northeast Quarter of the Northeast Quarter of Section 26, Township 10 South, Range 9 East; thence running West along and with the South boundary line of the North Half of the Northeast Quarter and the South boundary line of the Northeast Quarter of the Northwest Quarter of Section 26, Township 10 South, Range 9 East, and to the southwest corner of the Northeast Quarter of the Northwest Quarter of Section 26, in Township 10 South, Range 9 East; thence running South along and with the East boundary line of the Southwest Quarter of the Northwest Quarter of Section 26, Township 10 South, Range 9 East, and to the southeast corner of said Southwest Quarter of the Northwest Quarter of Section 26, Township 10 South, Range 9 East; thence running West along and with the South boundary line of the Southwest Quarter of the Northwest Quarter of Section 26, in Township 10 South, Range 9 East, and the South boundary line of the Northeast Quarter, and the South boundary line of the Northwest Quarter of Section 27, Township 10 South, Range 9 East, and to Coosa River; thence up Coosa River in its meanderings and in a Northwesterly direction to the West boundary line of the Northeast Quarter of the Northeast Quarter of Section 28, in Township 10 South, Range 9 East, thence running North along and with the West boundary line of the Northeast Quarter of the Northeast Quarter of Section 28, in Township 10 South, Range 9 East, and the West boundary line of the Southeast Quarter of Section 21, in Township 10 South, Range 9 East, and to the northwest corner of the Southeast Quarter of the Southeast Quarter of Section 21, in Township 10 South, Range 9 East; thence running west along and with the South boundary line of the Northwest Quarter of the Southeast Quarter of Section 21, in Township 10 South, Range 9 East, and to the southwest corner of said Northwest Quarter of the Southeast Quarter of Section 21, in Township 10 South, Range 9 East; thence running North along and with the West boundary line of the Northwest Quarter of the Southeast Quarter of Section 21, Township 10 South, Range 9 East, and to the Northwest Corner of the Northwest Quarter of the Southeast Quarter of Section 21, in Township 10 South, Range 9 East; thence running West along and with the South boundary line of the Southeast Quarter of the Northwest Quarter of Section 21, Township 10 South, Range 9 East; and to the southwest corner of the Southeast Quarter of the Northwest Quarter of Section 21, in Township 10 South, Range 9 East, thence running North along and with the West boundary line of the Southeast Quarter of the Northwest Quarter of Section 21, in Township 10 South, Range 9 East, and to the northwest corner of the Southeast Quarter of the Northwest Quarter of Section 21, in Township 10 South, Range 9 East; thence running west along and with the South boundary line of the Northwest Quarter of the Northwest Quarter of Section 21, in Township 10 South, Range 9 East, and the South boundary line of the Northeast Quarter of the Northeast Quarter of Section 20, in Township 10 South, Range 9 East, and to the Southwest corner of the Northeast Quarter of the Northeast Quarter of Section 20, Township 10 South, Range 9 East, thence running North along and with the West boundary line of the Northeast Quarter of the Northeast Quarter of Section 20, in Township 10 South, Range 9 East, and to a point in the North boundary line of Section 20, in Township 10 South, Range 9 East; thence running East along and with the North boundary line of Section 20, in Township 10 South, Range 9 East, and to the northwest corner of Section 21, in Township 10 South, Range 9 East, the point of beginning.

Section 2. That the boundaries set out in Section One of this Act be, and the same are hereby established as the corporate limits of said town of Centre, Cherokee County, Alabama, and all of the territory included and embraced within said boundaries shall hereafter be and constitute a part of the Town of Centre, Cherokee County, Alabama.

Section 3. All farm land annexed to the Town of Centre, Cherokee County, Alabama by this Act, the improvements thereon, and the appurtenances thereunto appertaining, shall be exempt from all ad valorem taxation by the municipality of the Town of Centre, Alabama, during the time such property is used for farming purposes.

Section 4. That all laws and parts of laws, both general, special and local, in conflict with this Act be, and the same are hereby repealed.

Section 5. That this Act shall go into effect immediately upon its approval by the Governor.

J. B. BURKHALTER,
Representative of Cherokee
County, Alabama.

To Cherokee County Herald:

You will publish the foregoing for four consecutive weeks in the Cherokee County Herald.

J. B. BURKHALTER,
Representative, Cherokee
County, Alabama. 4-4c

STATE OF ALABAMA COUNTY OF CHEROKEE

Before me, Emmett James, a Notary Public in and for said county in said state, personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the Town of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and complete copy of Legal Notice as published in said newspaper once a week for four consecutive weeks, beginning on the 30th day of March, 1955; that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said town and county; and that said newspaper has been entered as second class mail matter in the United States Post Office in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

JOE SHAW, JR.

Sworn to and subscribed before me this 30th day of April, 1955.

E. G. JAMES,
Notary Public.

By Mr. Huddleston (with notice and proof):

H. 7. To regulate the sale of alcoholic beverages in Colbert County.

Local Legislation No. 1.

Notice and Proof H. 7:

NOTICE OF APPLICATION FOR LOCAL LAW

Notice is hereby given that a local law applicable to Colbert County, Alabama, substantially as follows, will be applied for in the Legislature of Alabama:

**A BILL
TO BE ENTITLED
AN ACT**

To Regulate the Sale of Alcoholic Beverages in Colbert County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1: It shall be unlawful for any person, firm, corporation or association to sell or offer to sell any spirituous or vinous liquor or any malt or brewed beverage in Colbert County, except within an incorporated municipality thereof, or within the police jurisdiction of an incorporated municipality thereof.

Section 2: Any person, firm, corporation or association violating the provisions of this Act shall be guilty of a misdemeanor.

Section 3: This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

Mar. 25-Apr. 1-8-15c

AFFIDAVIT OF PUBLICATION

State of Alabama
Colbert County

I, L. H. BAKER, General Manager of The Standard & Times, a weekly newspaper published in Sheffield, Colbert County, Alabama, and with a general circulation in Colbert County, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of: Notice of application for local law—a bill to be entitled an act to regulate the sale of alcoholic beverages in Colbert County as published in The Standard & Times on the days and dates and in the amount of space as here given as follows: March 25th, April 1st, April 8th and April 15, 1955.

Sheffield, Ala., April 29, 1955.

L. H. BAKER,
General Manager of
The Standard &
Times.

Sworn to before me this 29th day of April, 1955.

SUE H. NATHAN,
Notary Public.

My Commission Expires January 30, 1956.

By Mr. Kendall:

H. 8. To establish the Alabama Stonewall Jackson Memorial Fund; to set forth the purposes for which such fund is to be established; to set up a board of trustees to administer the fund; to make an appropriation of twenty thousand dollars (\$20,000.00) to said fund.

Ways and Means.

By Messrs. Crook, Harrison, Ward, and McLendon:

H. 9. To amend Title 14, Section 217, Code of 1940.

7-12-1

Judiciary.

By Messrs. Crook, Harrison, Ward, and McLendon:

H. 10. To amend Section 5 of Act No. 338, General Acts of 1949, page 503, approved August 8, 1949, entitled "To provide for the assignment of accounts receivable and for notice thereof; and to fix the rights and liabilities of the assignors and assignees of such accounts received and of the persons owing the same, and of all persons interested therein, and to provide for the enforcement of such rights and liabilities; all in order to promote trade and commerce by facilitating the sale and pledge of accounts receivable and to eliminate fraud in connection with secret assignments".

Judiciary.

By Messrs. Crook, Harrison, Ward and McLendon:

H. 11. To make it unlawful for any person to withdraw or cause to be withdrawn from any state or national bank funds credited to a depositor's account through error or mistake, or to induce any such bank to pay any such funds to any person by making, drawing, uttering or delivering a check, draft or order for the payment of money, with the intent to so induce such bank; and to provide the penalties for violation of this act.

Judiciary.

By Mr. Summerlin:

H. 12. To repeal the Act entitled "An Act, To provide the manner in which state-owned textbooks shall be purchased," approved September 5, 1951.

Ways and Means.

By Mr. Summerlin:

H. 13. To amend further Sections 2, 6 and 7 of Act No. 412, approved July 7, 1945, entitled "An Act To provide for the adoption, selection, purchase, and distribution of textbooks to be used in the tax-supported public schools of Alabama; to provide for, to define the duties of, and to limit the expenditures of a State Textbook Committee; to authorize the staggering of the adoption of textbooks in order that expenditures therefor may be equalized from year to year in so far as practicable; to provide for the adoption, purchase, distribution, and administration of state-owned textbooks by the State Board of Education; to provide for penalties for violation of certain terms of this act; and to repeal Sections 19 and 409 to 431, inclusive, Title 52, Code of Alabama 1940, and Sections 432 and 433, Title 52, Code of Alabama 1940 as amended by Act No. 313, approved June 28, 1943."

Education.

By Mr. Summerlin:

H. 14. To appropriate the unencumbered balance remaining in the State Textbook Purchasing Board Fund and in the Free Textbook Fund at the close of each fiscal year, including the year 1954-55, for expenditure for the uses and purposes of such fund or funds during the ensuing fiscal year.

Ways and Means.

By Mr. Summerlin:

H. 15. To amend further Sections 404 and 405 of Title 52, Code of Alabama 1940 as amended which relate to the Committee on Courses of Study.

Education.

By Mr. Davis:

H. 16. To amend an Act of the Legislature of Alabama approved September 11, 1953; (Acts of Alabama regular session, 1953, Vol. 2, Page 832). To re-divide the State into judicial circuits to create the

thirty-second Judicial Circuit and to provide for a Circuit Judge and Circuit Solicitor of the newly created circuit.

Judiciary.

By Messrs. Davis, Hawkins, Stembridge, Shumate, Oden, Branyon, Brown (Lamar), Gregory, Dawkins, Edwards (Escambia) and Wood:

H. 17. To create a State Department of Pensions and Social Services, a State Board of Pensions and Social Services, county departments of pensions and social services, and county boards of pensions and social services; to create the chief executive officer who shall be known as the Commissioner of the State Department of Pensions and Social Services who shall exercise all the rights, powers, authority, and duties thereof; to define the powers and duties of the State Department, of the State Board, of the county departments, and of the county boards; to transfer and confer upon the Department of Pensions and Social Services all the powers and duties now or hereafter vested in the Department of Public Welfare; to provide that "old age assistance" shall be known as old age pension; and to provide that the Department of Pensions and Social Services be substituted for Department of Public Welfare in any litigation pending to which the Department of Public Welfare is a party.

Public Welfare.

By Mr. Davis (with notice and proof):

H. 18. To amend Act No. 18, H. 6, approved February 17, 1955, creating the Cullman County Commission on Education and establishing the office of Superintendent of County Schools.

Local Legislation No. 1.

Notice and Proof H. 18:

**LEGAL NOTICE
A BILL
TO BE ENTITLED
AN ACT**

To amend Act No. 18, H. 6, approved February 17, 1955, creating the Cullman County Commission on Education and establishing the office of Superintendent of County Schools.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 3 of Act No. 18, H. 6, approved February 17, 1955, creating the Cullman County Commission on Education and establishing the office of Superintendent of County Schools, is amended to read as follows:

"Immediately after the effective date of this Act, the Governor shall appoint some qualified persons as superintendent of county schools in Cullman County, and such appointee shall hold office until July 1, 1959. A superintendent of county schools shall be elected by the qualified electors of Cullman County at the general election in November, 1958, and every four years thereafter. The superintendent of county schools shall take office on the first day of July next succeeding his election. No person shall be eligible for appointment, for political party nomination, or for election to the office of superintendent of county schools who does not hold an Alabama certificate in administration and supervision based upon requirements established by the State Board of Education for such certificates, and who does not hold a Masters degree or equivalent, and who does not submit proof to the State Superintendent of Education of at least three years of successful administrative experience namely as principal, supervisor, or superintendent, during the five years next preceeding his appointment or election His term of office

shall be for four years, and he shall be removed only by impeachment in the manner prescribed by law. He shall receive an annual salary and the necessary expenses of traveling in the performance of his official duties. His salary shall be fixed by the Cullman County Commission on Education at a sum not less than seven thousand five hundred dollars per annum."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mar. 13-20-27 - April 3.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Cullman Democrat, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Mar. 13, Mar. 20, Mar. 27, and April 3, all in the year 1955.

ROBERT BRYAN.

Sworn to and subscribed before me April 3, 1955.

MARIE W. BERGER.
Notary Public.

My Commission Expires April 2, 1957.

By Mr. Davis:

H. 19. Proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Cullman County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Hardy, Hain, and Molette (with notice and proof):

H. 20. To amend Section nine of Act No. 436, S. 523, approved July 29, 1907, the Act which created and established a commission known as "Selma Water Works Commission," (1907 Local Acts 554).

Local Legislation No. 1.

Notice and Proof H. 20:

LEGAL NOTICE

STATE OF ALABAMA, COUNTY OF DALLAS.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and applications for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section nine of Act No. 436, S. 523, approved July 29, 1907, the Act which created and established a commission known as

"Selma Water Works Commission," (1907 Local Acts 554). BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section nine of Act No. 436, S. 523, approved July 29, 1907, the Act which created and established a commission known as "Selma Water Works Commission" (1907 Local Acts 554), is amended to read as follows:

"For his services, the president shall receive a salary of not less than six hundred dollars per annum and not more than three thousand dollars per annum, to be fixed by said council of Selma, and payable monthly; and each of the other commissioners shall receive ten dollars for each meeting of the commission attended by him; however, they shall neither receive more than twenty dollars in any one month, provided, however, that no salary shall be increased during any term of such office."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

8-15-22-29

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. F. T. Raiford, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Selma Times Journal, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 15th, 22nd, 29th and 8th, all in the year 1955.

MRS. F. T. RAIFORD.

Sworn to and subscribed before me April 14, 1955.

CORNELIA L. MORRISON,
Notary Public.

By Messrs. Ferrell, Wood and Dement:

H. 21. Relating to fishing from bridges; authorizing and directing the state highway department, The Director of the Conservation Dept. and the governing bodies of the various counties in the state to construct and maintain on the sides of certain bridges under their authority and jurisdiction a "walkway," "catwalk," or other such pier or platform for the purpose of providing a safe place, removed from the danger of passing motor vehicles, from which fish may be caught or taken from the streams or waters flowing under such bridges.

Transportation.

By Messrs. Law and Johnson (Elmore):

H. 22. To amend Sections 304, 305, 315, 316, 317, 318, 320, 321, 322, and 332 of Title 17, Code of Alabama (1940), all of which prescribe penalties for certain violations of the election laws.

Judiciary.

By Messrs. Law and Johnson (Elmore):

H. 23. To amend Section 101 of Title 35, Code of Alabama (1940), which exempts commissioned officers of the Active National Guard of

Alabama and certain other persons serving therewith from the payment of motor vehicle license and registration fees, and which exempts certain persons from the payment of toll bridge and tunnel fees.

Ways and Means.

By Messrs. Law and Johnson (Elmore):

H. 24. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Elmore County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Edwards (Escambia) and Kelly:

H. 25. To propose an amendment to the Constitution of Alabama relative to suffrage and elections, extending the right to register and to vote to persons between the ages of eighteen and twenty-one years.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Edwards (Escambia), Kelly, and Wood:

H. 26. To fix a minimum salary for school bus drivers employed by city or county boards of education.

Ways and Means.

By Mr. Edwards (Escambia):

H. 27. To provide free textbooks for use in grades one through twelve of the tax-supported public schools of the State, to require the State Board of Education to purchase and furnish such textbooks, and to appropriate funds to defray the expense of effectuating this Act.

Ways and Means.

By Messrs. Hawkins, Fite, Dawkins, Selman, Shumate, Burkhalter, Pirkle, Money, Simon, Wood, Dement, Broadfoot, Lee (Barbour), Law, Kelly, Brassell, Edwards (Escambia), Adams, Speaks, Davis, Stembridge, Cornett, Branyon, Cox, Ferrell, Huddleston, Vacca, Jenkins, Brown (Lamar), Hall, Murphy, Lee (Lawrence), Albea, Bagley, Haltom, and Nice:

H. 28. To propose an amendment to the Constitution abolishing the poll tax as a prerequisite to voting.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Hawkins, Fite, Dawkins, Selman, Shumate, Burkhalter, Pirkle, Money, Simon, Wood, Kelly, Brassell, Edwards (Escambia), Cornett, Nolen, Speaks, Davis, Cox, Ferrell, Huddleston, Vacca, Jenkins, Brown (Lamar), Hall, Murphy, Lee (Lawrence), Albea, Bagley, Nice, Broadfoot, and Stembridge:

H. 29. Relating to the qualifications of an elector; amending further Section 12 of Title 17, Code of Alabama (1940), as amended.

Ways and Means.

By Mr. Hawkins:

H. 30. Relating to state government administration; creating a State Banking Department, and defining its powers and duties; trans-

ferring to the department the administration of the laws relating to banks and banking, credit unions, savings and loan associations, and the small-loan business; transferring to the department the bureau of banking, the bureau of savings and loan, and the bureau of loans of the department of commerce, and the personnel, funds, equipment, and supplies of such bureaus; providing for a superintendent of banks as head of the State Banking Department; prescribing his salary, qualifications, and duties; and abolishing the Department of Commerce and the office of Director of Commerce.

State Administration.

By Messrs. Dawkins, Hawkins, Kendall, Harrison, Nice, Brown (Lee), and Fite.

H. 31. To amend Section 293, Title 26, 1940 Code of Alabama, as amended.

Ways and Means.

By Messrs. Davis, Oden, Dawkins, Selman, Shumate, Hawkins, Simon, Wood, Murphy, and Branyon:

H. 32. To provide for the examination and audit periodically of the books, accounts, vouchers and records of State, County and City officers and offices, bureaus, boards, commissions, institutions and departments and to recreate in the Department of Finance the Division of Examiners of Public Accounts: and to abolish the Department of Examiners of Public Accounts: to transfer the functions, funds, books, records, furniture, fixtures, supplies and equipment from the Department of Examiners of Public Accounts to the Department of Finance: to provide for the personnel requirements for the activity authorized by this Act: to provide for an Assistant Director of Finance to supervise the examinations and audits of county and municipal officers and offices, bureaus, boards, commissions, institutions and departments: and to require the Budget Officer to maintain current examinations of the books, accounts, vouchers and records of the State officers and offices, bureaus, boards, commissions, institutions and departments and to provide additional compensation therefor: and to repeal all acts contrary to the provisions of this Act and especially Act No. 351, (General Acts of Alabama 1947, page 231), approved August 15, 1947; Act No. 353 (General Acts of Alabama 1951, page 640) approved August 3, 1951; Act No. 62 (5th Special Session 1950, page 124) approved November 1, 1950; Act No. 917 (General Acts of Alabama 1951, page 1568) approved September 12, 1951; Act No. 791 (General Acts of Alabama 1953, page 1085) approved September 19, 1953; Act No. 100 (General Acts of Alabama 1943, page 105) approved June 8, 1943; and Act No. 194 (General Acts of Alabama 1945, page 318) approved June 29, 1945.

Ways and Means.

By Messrs. Fite, Oden, Selman, Dawkins, Shumate, Hawkins, Simon, Murphy, Wood, Tyson, Branyon and Davis:

H. 33. To authorize the Governor, the Director of Finance, and the Attorney General to become a public corporation for the purpose of acquiring land from the State or otherwise upon which it shall, at a cost not to exceed five million dollars, construct, operate and maintain, or cause to be constructed, operated and maintained, an office building or buildings, the space therein to be rented to any department, board, bureau, commission, or agency of the State; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said income which filing will consti-

tute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to provide for the lease to and by departments, boards, bureaus, commissions, and agencies of the State of space for occupancy in said building or buildings; and to provide that any properties of the corporation and the income therefrom and any securities issued and the income therefrom and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities.

Ways and Means.

By Messrs. Hawkins and Burkhalter:

H. 34. To regulate the sale, possession, displaying, offering for sale and use of fireworks in the State of Alabama. To regulate the periods of sale, provide for public display of fireworks, and to prescribe penalties for any violation of this act or any regulation promulgated under its authority.

Judiciary.

By Mr. Summerlin:

H. 35. To reapportion the Legislature of Alabama.

Constitution and Elections.

By Mr. Summerlin:

H. 36. To amend Section 230 of Title 12 of the Code of Alabama of 1940, so as to prohibit the removal of the county seat or site of a county in any instance where a public corporation organized in such county under the provisions of Act No. 682 adopted at the 1951 Regular Session of the Legislature of Alabama then has outstanding any securities, including refunding securities, secured by a pledge of the rentals from a building leased by such corporation to such county and located in the city, town or village where the county seat of such county is then located.

Judiciary.

By Mr. Oden:

H. 37. To make it a misdemeanor for any person to drive a motor vehicle upon a school ground or school yard at a place other than that which is customarily used as a driveway or a parking place for motor vehicles without the consent or acquiescence of the board of education or other governing body having control of the use of the school property, and to provide a penalty therefor.

Judiciary.

By Messrs. Oden, Gist, Money, Haltom, Broadfoot, Davis, and Brannan:

H. 38. Relating to appointments to certain positions in the State Highway Department; providing that employees of the State Highway Department used in any county in connection with the construction, maintenance, and repair of county roads and bridges, where responsibility for such construction, maintenance, and repair is transferred by law to the State Highway Department, shall be drawn insofar as possible from residents of the county.

Transportation.

By Messrs. Hawkins, Branyon, Gregory, Kelly, Oden, Selman, Davis, Shumate, Kendall, Lee (Lawrence), Brown (Lamar), Vacca, Wood,

Money, Edwards (Escambia), Speaks, Ferrell, Murphy, Simon, Tyson, Huddleston, and Broadfoot.

H. 39. To appropriate out of any funds in the State Treasury not otherwise appropriated, the sum of \$375,000.00 to the Armory Commission of Alabama for the fiscal year ending September 30, 1955, to be used for providing additional armory facilities required by the Alabama National Guard and the Air National Guard units and headquarters and to be allotted and expended only when matching funds are made available by the United States Government for such purposes.

Ways and Means.

By Messrs. Oden, Branyon, Brown (Lamar), Huddleston, Broadfoot, Davis, Money, Gist, Lee (Lawrence), and Kelly:

H. 40. To make an additional appropriation to the Military Department of the State of Alabama out of any funds in the State Treasury not otherwise appropriated in the sum of \$55,000.00 for the fiscal year ending September 30, 1955.

Ways and Means.

By Messrs. Oden, Fite, Davis, Selman, Shumate, Hawkins, Kendall, Lee (Lawrence), Brown (Lamar), Vacca, Wood, Money, Edwards (Escambia), Speaks, Ferrell, Murphy, Simon, Tyson, Broadfoot, Branyon, Gregory, and Kelly:

H. 41. Relating to the industrial development of the State of Alabama; to create a Department of Industrial Development; to provide for the appointment of the Director thereof and to fix his compensation; to define the powers and duties of said Department and Director; to authorize the creation of divisions within said Department and the appointment of the personnel thereof; to provide for an Industrial Development Board and for the appointment, terms and compensation of its members; to prescribe its powers, duties and authority; to transfer the powers, authority, duties, functions, funds, books, records, furniture, fixtures, supplies and equipment from the State Planning Board to the Department of Industrial Development; to abolish the State Planning Board; to repeal an act entitled "An Act To create a State Planning Board and to provide for the appointment, removal, term, and compensation of the members thereof; to fix the powers, authority, and duties of the board; to provide for the appointment of a director of the board and for the selection of employees; and to make an appropriation for the maintenance and operation of the board", approved June 18, 1943.

Business and Labor.

By Mr. Martin:

H. 42. Relating to the State Department of Education; fixing the maximum salary of an assistant state superintendent of education and an executive assistant to the state superintendent of education.

Ways and Means.

By Messrs. Martin, Harrison, Ward, Burkhalter, Kendall, Brown (Lamar), Nettles, Branyon and Ramey:

H. 43. To provide further for the distribution of the proceeds of certain state and county licenses.

Ways and Means.

By Messrs. Gist, Dement, Oden, Speaks, Ferrell, Gregory, Money and Lee (Lawrence):

H. 44. Relating to taxation; to exempt certain new industries and

factories from the payment of all privilege license taxes and fees for a period of three years.

Ways and Means.

By Messrs. Nice, Vacca, Hawkins, Haltom, Selman and Broadfoot:

H. 45. Proposing an amendment of Section 178 of the Constitution of Alabama, which relates to the qualifications for voting.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Nice, Hawkins, Perry and Vacca:

H. 46. Relating to juvenile delinquency: To create a commission on juvenile delinquency to study problems incident to and causes of juvenile delinquency, to inform the public thereof, and to formulate and activate a program for curbing juvenile delinquency; to provide for the appointment of members thereof and their assistants; to prescribe the powers, duties and authority of the commission; and to make an annual appropriation to the commission.

Ways and Means.

By Messrs. Nice and Vacca:

H. 47. To provide further for the admittance of applicants to the State bar examinations.

Judiciary.

By Messrs. Broadfoot and Haltom (with notice and proof):

H. 48. Relating to Lauderdale County, directing the board of registrars to purge the list of registered voters; requiring and prescribing the procedure for the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Local Legislation No. 1.

Notice and Proof H. 48:

**STATE OF ALABAMA
COUNTY OF LAUDERDALE**

Notice is hereby given that at the 1955 Regular Session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Lauderdale County, directing the board of registrars to purge the list of registered voters; requiring and prescribing the procedure for the reidentification of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of registrars in Lauderdale County is hereby directed to purge all lists of the qualified electors in the county to the end that the names of all who are deceased or non-residents of the county or have otherwise become disqualified from voting therein, shall be removed from such lists and to the end that the name of each qualified elector shall appear only on the list of qualified electors for the district and precinct in which he resides.

Section 2. The board of registrars shall omit and remove from the lists of qualified electors in the county the name of any person who fails to reidentify himself to the board of registrars in one of the ways herein-after provided before the first day of February 1956; provided that no one who has registered as a qualified elector of the county since January 1, 1955 shall be required to reidentify himself. No person, removed from the list of qualified electors as herein provided shall cease to be a qualified elector nor be subject to re-registration, but shall be subject only to the requirement that he reidentify himself as a duly registered elector before being listed on the list of qualified electors in the county.

Section 3. A voter may reidentify himself in any one of the following ways:

(a) A voter may reidentify himself by appearing in person at the office of the board of registrars or the judge of probate or one of the duly authorized employees of the board of registrars or judge of probate and answering such questions and submitting such proof as may be set forth hereinafter to establish the voter's identity and place of legal residence and that the voter has not become disqualified from voting in the county.

(b) A voter who is on active duty in the Army, Navy or Air Force of the United States or the husband or wife of a member of the Armed Forces on active duty may also reidentify himself or herself by filling in and mailing to the office of the Judge of probate, for transmittal to the board of registrars, the completed answers to such questions as are set forth in the questionnaire hereinafter detailed, and the voter's signature to such questionnaire must be witnessed by a commissioned officer of the army, navy or air force.

Section 4. The board of registrars shall furnish a sufficient number of blank questionnaires to the judge of probate for the use of registered electors appearing before him or his employes to reidentify themselves.

The questionnaire shall be in substantially the following form:

VOTER'S REIDENTIFICATION
QUESTIONNAIRE

Lauderdale County, Alabama

Date: _____, 19_____.

Name: _____
(First) (Middle) (Last)

Legal Residence Address: _____
(Street or Route)

City or Town: _____

State: _____

Date of Birth: _____ Sex: _____ Color: _____

I now vote and I am a qualified elector in Precinct or Beat No. _____
Lauderdale County, and I have not been disqualified from voting in the county.

(To be filled in only if a resident of a City or Town):

I reside within the corporate limits of _____
(City or Town)

I have resided in Precinct, Name or No. _____ for the past

three months. I vote at _____
(Name of Place)

Signed: _____
(Signature of Voter)

STATE OF _____

COUNTY OF _____

WITNESSED before me this the _____ day of _____, 19____.

Registrar, Judge of Probate, Notary Public, Commissioned Officer, U. S. Armed Forces.

Section 5. Any qualified elector in the county who shall have his name omitted or removed from the list of qualified electors in the county or in any incorporated city or town therein by reason of his failure to reidentify himself as hereinabove provided or whose name shall be otherwise purged therefrom, shall be entitled to have his name restored to the list of qualified electors by appearing in person and reidentifying himself at the office of the board of registrars or judge of probate in the manner hereinabove provided; however, every qualified elector must have reidentified himself at least thirty (30) days prior to the election at which he offers to vote.

Section 6. The board of registrars shall meet as often as necessary and on such dates as The Governing Body of the County may by order fix for the purpose of purging the list of qualified electors of the county.

The board may meet any number of days not exceeding thirty (30) days per annum in excess of the maximum now provided by law for the purpose of purging such list, and shall be entitled to the same per diem allowances for meeting on such date, in excess of the maximum, as now provided by law.

Section 7. Any person who makes a willfully false statement in answer to the reidentification questionnaire to the board of registrars or the judge of probate or the duly authorized employees of the board of registrars or judge of probate or to the commissioned officer of the United States Army, Navy or Air Force, or notary public, shall be guilty of perjury and upon conviction shall be punished by imprisonment in the penitentiary for not less than one year nor more than five years.

Section 8. The governing body of the county is hereby authorized to furnish the board of registrars and the judge of probate the supplies, equipment, printed forms, stationery, stamps, clerical help, newspaper and radio advertisement necessary for the reidentification of voters.

Section 9. The board of registrars shall retain as a public record for ten years all completed questionnaires, and shall file the same in alphabetical order showing all qualified electors registered by precincts or districts, or other subdivisions thereof, or where any precinct has been divided or subdivided, if not within a city or town, and by wards or other subdivisions, if within a city or incorporated town.

Section 10. The board of registrars is further authorized and directed to purge the list of registered voters in the county, for which the governing body of the county is hereby directed to provide, in a similar manner, and subject to the limitations prescribed in this Act, every ten years from the effective date of this Act.

Section 11. The provisions of this act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. This Act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law. However, the reidentification provisions of the statute shall not be applicable to qualified electors offering to vote in any special elections held during the year 1955.

ROBERT H. BROADFOOT,
Mem. Legislature, Place No. 1.

E. B. HALTOM, JR.,
Mem. Legislature, Place No. 2.

MILTON C. GRISHAM, Senator,
Lauderdale & Limestone Counties.

March 15, 22, 29; April 5c

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared D. H. Bowling, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Mar. 15, Mar. 22, Mar. 29, and April 5, all in the year 1955.

D. H. BOWLING.

Sworn to and subscribed before me April 30, 1955.

L. H. BAKER,
Notary Public.

By Mr. Haltom (with notice and proof):

H. 49. To amend Act No. 39, S. 13, approved February 18, 1955, the Act abolishing the Board of Revenue of Lauderdale County and re-establishing a Court of County Commissioners, by repealing Section 8 of said Act.

Local Legislation No. 1.

Notice and Proof H. 49:

LEGAL NOTICE

STATE OF ALABAMA, COUNTY OF LAUDERDALE.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 39, S. 13, approved February 18, 1955, the Act abolishing the Board of Revenue of Lauderdale County and re-establishing a Court of County Commissioners, by repealing Section 8 of said Act.

lishing a Court of County Commissioners, by repealing Section 8 of said Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Act. No. 39, S. 13, approved February 18, 1955, the Act abolishing the Board of Revenue of Lauderdale County and re-establishing a Court of County Commissioners, is amended by repealing Section 8 thereof, which section is in words and figures as follows:

"Section 8. As long as control of roads, bridges and highways in Lauderdale County remains in the State Highway Department each commissioner of the Court of County Commissioners of Lauderdale County must be furnished a suitable vehicle by and at the expense of the State Highway Department to be used exclusively by the commissioners as a means of transportation while occupied in discharge of their duties as county commissioners, including going to and returning from their respective courts. Any such vehicles may be recalled, however, by the Highway Director in the event any commissioner uses such vehicle provided him for purposes other than as hereinabove stated."

MILTON C. GRISHAM,
State Senator, First Senatorial District,
Lauderdale-Limestone Counties.

E. B. HALTOM, JR.,
Member of House of Representatives
from Lauderdale County, Place No. 2.

Feb. 26; Mar. 5, 12, 19c

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF LAUDERDALE**

Before me, the undersigned authority in and for said County in said State, this day personally appeared D. H. Bowling, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 26, Mar. 5, Mar. 12, and Mar. 19, all in the year 1955.

D. H. BOWLING.

Sworn to and subscribed before me April 30, 1955.

L. H. BAKER,
Notary Public.

By Mr. Lee (Lawrence) (with notice and proof):

H. 50. To amend Section 2 of Article 1 of Chapter 2 of Title 62 of the Code of Alabama of 1940 withdrawing Lawrence County, Alabama from the application of said article 1.

Local Legislation No. 1.

Notice and Proof H. 50:

**STATE OF ALABAMA
COUNTY OF LAWRENCE**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

To amend Section 2 of Article 1 of Chapter 2 of Title 62 of the Code of Alabama of 1940 withdrawing Lawrence County, Alabama from the application of said article 1.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 2 of article 1 of Chapter 2 of Title 62 of the Code of Alabama of 1940 is amended so as to read as follows: Section 2. Application of article.—The provisions of law contained in this article shall be applicable only to Baldwin, Blount, Clarke, Colbert, Conecuh, Escambia, Franklin, Hale, Macon, Marion, Perry, Randolph, Russell, Shelby, and Sumter counties.

Section 2. All laws in conflict herewith are repealed.

Section 3. This act shall be effective upon its passage and approval, or otherwise becoming a law. 9-4

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 3, March 10, March 17, and March 24, all in the year 1955.

ARTHUR F. SLATON.

Sworn to and subscribed before me April 4th, 1955.

JEANETTE LANG McKELVEY,
Notary Public.

By Mr. Brown (Lee):

H. 51. To amend Section 55 of Title 30 of Code of Alabama of 1940, relating to challenges of jurors for cause.

Judiciary.

By Messrs. Dement, Davis, Gregory, Wood, Oden, Brannan, Ferrell, Love, Burkhalter, Cox, Selman and Shumate:

H. 52. To provide for a privilege or license tax, in addition to all other taxes of every kind now imposed by law, on hotels, motels, tourist camps and similar businesses of this State; to provide for the levy, assessment, collection, distribution and use of the tax levied; to provide for the general administration of this Act, and to provide for an effective date for this Act.

Ways and Means.

By Mr. Dement:

H. 53. Relating to the election of the municipal governing body in any city, governed by a mayor and council and having a population of not less than 6,125 nor more than 6,725 inhabitants, in which the qualified voters approve the adoption of the provisions of this Act at a referendum election held pursuant to this Act.

Judiciary.

By Messrs. Fite and Selman:

H. 54. Relating to civil remedies and procedure: To fix venue in actions for libel.

Judiciary.

By Mr. Fite:

H. 55. To fix the number of senators and to divide the State into as many senatorial districts as there are senators, in accordance with the provisions of Section 200 of the Constitution of Alabama.

Constitution and Elections.

By Mr. Fite:

H. 56. Relating to highways: To amend further Section 25 of Title 23, Code of Alabama (1940), which provides for the acquisition of rights of way of roads and bridges.

Ways and Means.

By Mr. Fite:

H. 57. Relating to actions on certain contracts of insurance: To provide for recovery of benefits by one assured when more than one party is named as the assured in a contract of insurance.

Judiciary.

By Mr. Fite:

H. 58. Relating to motor vehicles: To repeal Section 95 of Title 36, Code 1940, which is the "Guest Law."

Judiciary.

By Mr. Fite:

H. 59. Relating to civil remedies and procedure: to provide further for venue in actions on policies or certificates of insurance.

Judiciary.

By Mr. Fite:

H. 60. Relating to insurance: To require insurers to give notice of the ground or grounds for contesting claims made under contracts of insurance.

Judiciary.

By Mr. Fite:

H. 61. Relating to civil remedies and procedure: To provide for pleading in short in civil cases at law.

Judiciary.

By Mr. Fite:

H. 62. Authorizing the creation of a public corporation within each county in the State which shall have the power to construct, lease, own and operate irrigation projects, hydro-electric power producing projects, sell water and water rights and have certain other powers and duties; authorizing the issuance of revenue bonds, and revenue refunding bonds, payable from the revenues of such projects, to pay the costs of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; providing that no debt of the State or any political subdivision thereof shall be incurred in the exercise of any of the powers granted by this Act; granting such corporations the right of eminent domain; and prescribing penalties for the violation of certain provisions of this Act.

Conservation.

By Mr. Fite:

H. 63. To provide that any public building corporation established under the provisions of Act No. 682, H. 739, of the 1951 Regular Ses-

sion of the Legislature of Alabama shall have the power to construct, lease, own and operate irrigation projects, hydro-electric power producing projects, sell water and water rights, and have certain other powers and duties; authorizing the issuance of revenue bonds, and revenue refunding bonds, payable from the revenues of such projects to pay the costs of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; providing that no debt of the State or any political subdivision thereof shall be incurred in the exercise of any of the powers granted by this Act; granting such corporation the right of eminent domain; and prescribing penalties for the violation of certain provisions of this Act.

Judiciary.

By Mr. Fite:

H. 64. To amend Section 148 of Title 52 of the Code of Alabama of 1940 and to define the word "City" as used therein.

Education.

By Mr. Fite (with notice and proof):

H. 65. Relating to Marion County: Regulating the solicitation of membership in certain organizations from among the citizens of Marion County; providing for the issuance of permits and payment of fees for the solicitation of membership in such organizations; and prescribing penalties for violations of this Act.

Local Legislation No. 1.

Notice and Proof H. 65:
STATE OF ALABAMA,
COUNTY OF MARION.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marion County; regulating the solicitation of membership in certain organizations from among the citizens of Marion County; providing for the issuance of permits and payment of fees for the solicitation of membership in such organizations; and prescribing penalties for violations of this Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Before any person shall solicit membership from among the citizens of Marion County for any organization of any kind which requires from its members the payment of membership fees and dues, or which is entitled to make assessments against its members, he shall make application in writing to the governing body of Marion County for the issuance of a permit to solicit members in such organization.

Section 2. Each application shall give the name and nature of the organization for which the applicant desires to solicit members, whether the organization is incorporated or unincorporated, the location of its principal office and place of business, the name of its officers, the date of its organization, and the amount of its assets and liabilities. Each application shall also contain the places of residence, and the business or profession in which the applicant has been engaged in, during the ten years next preceding the date of the application; information as to whether the applicant is a salaried member or employee of the organization for which he is soliciting members; and the amount of compensation, if any, he receives for obtaining members. Each application shall

be accompanied by the names and addresses of at least three persons who can attest to the applicant's good character.

Section 3. The application shall be presented to the governing body of Marion County at a regular meeting thereof, and in the event such body desires to investigate further the information contained in the application, or in the event the applicant desires a formal hearing on the application, a hearing shall be set for a time not later than the next regular meeting. At such hearing, the applicant may submit any evidence that he may desire bearing on the application, and any interested person shall have the right to appear and give evidence to the contrary.

Section 4. In passing upon each application, the governing body shall consider the character of the applicant, the nature of the business or the organization for which members are desired to be solicited, and the effect of the nature of the business of the organization upon the general welfare of the citizens of Marion County. The grant or denial of an application for a permit shall be determined by vote of the members of such body in the same manner that other matters are passed upon by it.

Section 5. Any person making application for a permit who is a salaried officer or employee of the organization for which he desires to solicit members from among the citizens of Marion County, or who receives a fee or other compensation for obtaining members for such organization shall pay a license fee of two-thousand dollars upon the issuance of a permit. In addition, he shall pay a fee of fifty dollars for each member of the organization recruited by him from among the citizens of Marion County. Any permit issued under the provisions of this section shall be valid until the first day of October next succeeding the date of issuance. All fees collected under the provisions of this section shall be paid into the general fund of the County for the exclusive use of Marion County Board of Education.

Section 6. Any person soliciting members for any organization which requires from its members the payment of membership fees or dues, or which is entitled to make assessments against its members, without first obtaining the permit provided for by this Act, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five-hundred dollars nor more than two-thousand dollars and may be imprisoned in the county jail for not less than one nor more than six months.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

4t-4-31

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Emma C. McKenzie, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of

Alabama, said notice having appeared in the issues of said paper on March 31, April 7, April 14, and April 21, all in the year 1955.

EMMA C. McKENZIE.

Sworn to and subscribed before me April 30, 1955.

NELSON VINSON,
Notary Public, Marion County, Ala.

By Messrs. Simon, Tyson, Murphy, Selman, Shumate, and Fite:

H. 66. Relating to insurance; providing that the insurer may be joined as a defendant in certain actions against the insured.

Judiciary.

By Messrs. Simon, Murphy, Tyson, Selman, Shumate, and Fite:

H. 67. To amend Section 123 of Title 7 of the Code of Alabama, 1940, relating to actions for wrongful act, omission or negligence causing death.

Judiciary.

By Messrs. Simon, Tyson, Murphy, Selman, Shumate, and Fite:

H. 68. To authorize the inclusion of reasonable fees or compensation for attorneys prosecuting the cause in any judgment rendered against an insurer in a suit on a policy or contract of insurance.

Judiciary.

By Messrs. Simon, Tyson, Murphy, Selman, Shumate, and Fite:

H. 69. Relating to fire, lightning, hail and windstorm insurance and the measure of damages resulting from losses covered by such insurance; and prescribing penalties for violations of this Act.

Judiciary.

By Messrs. Simon, Tyson, Murphy, Selman, Shumate, and Fite:

H. 70. Relating to insurance; regulating the cancellation and alteration of certain individual policies of hospitalization or medical expense insurance.

Judiciary.

By Messrs. Simon, Murphy, and Tyson (with notice and proof):

H. 71. Relating to Mobile County: Fixing the salary of the judge of probate.

Local Legislation No. 1.

Notice and Proof H. 71:

LEGAL NOTICE

State of Alabama, County of Mobile:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Mobile County; fixing the salary of the judge of probate.

Be It Enacted By The Legislature Of Alabama:

Section 1. The salary of the judge of probate of Mobile County is hereby fixed at ten thousand dollars (\$10,000) per annum, payable in installments as the salaries of other county officers are paid.

Section 2. This Act shall not affect the compensation of the incumbent of the office of judge of probate.

GARET VAN ANTWERP
OTTO E. SIMON
M. THOMAS MURPHY

Reg., March 4, 11, 18, 25

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. M. Curran, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Auditor of the The Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 4, March 11, March 18, and March 25, all in the year 1955.

W. M. CURRAN.

Sworn to and subscribed before me March 25, 1955.

ALI A. JOHNS,
Notary Public.

By Messrs. Simon, Murphy, and Tyson (with notice and proof):

H. 72. To fix the salary of the tax assessor of Mobile County and to regulate the payment thereof.

Local Legislation No. 1.

Notice and Proof H. 72:

LEGAL NOTICE

State of Alabama, County of Mobile;

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To fix the salary of the tax assessor of Mobile County and to regulate the payment thereof.

Be It Enacted By The Legislature Of Alabama:

Section 1. The tax assessor of Mobile County shall be compensated on a salary basis. He shall be paid a salary of ten thousand dollars per annum. Such salary shall be paid in twelve equal monthly installments in the manner prescribed by Act No. 242, H. 473, approved August 15, 1935. Such salary shall be in lieu of all other compensation, fees, commissions, perquisites and emoluments for the performance of the duties of his office, or for the performance of any other act or service connected

with his office, including the performance of his duty as secretary of the county board of equalization, as prescribed by an Act of 1947.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall take effect at the commencement of the term of office of the tax assessor of Mobile County which begins next after the passage and approval of this Act,

OTTO E. SIMON

TOM MURPHY

JOHN M. TYSON

GARET VAN ANTWERP, III

Reg., April 1, 8, 15, 22

W. M. Curran being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and that the attached notice appeared in the issue of The Mobile Register April 1, 8, 15, 22, 1955.

W. M. CURRAN.

Sworn to and subscribed before me this 29th day of April, 1955.

ALI A. JOHNS,
Notary Public.

By Messrs. Simon, Murphy, and Tyson:

H. 73. To apply in all counties having a population of not less than 230,000 nor more than 500,000 inhabitants, according to the last or any subsequent federal decennial census; to fix the compensation of the commissioner of licenses in all such counties.

Local Legislation No. 1.

By Messrs. Simon, Murphy, and Tyson:

H. 74. To provide further for the compensation of circuit judges in circuits composed of one county and having not less than four nor more than nine circuit judges.

Local Legislation No. 1.

By Messrs. Simon, Murphy, and Tyson:

H. 75. To create a fund which shall be known as the Solicitor's Fund in the Thirteenth Judicial Circuit of Alabama; to provide for the appropriation of monies to said fund from the solicitors fees taxed and collected in all criminal cases in all courts in the Thirteenth Judicial Circuit and to authorize the expenditure of said fund by the Solicitor of the Thirteenth Judicial Circuit for law enforcement and the discharge of the duties of his office.

Ways and Means.

By Messrs. Murphy, Simon, and Tyson.

H. 76. To apply in all counties having a population of not less than 200,000 inhabitants, according to the last or any subsequent Federal decennial census: To prescribe additional qualifications for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

Local Legislation No. 1.

By Messrs. Simon, Murphy, and Tyson:

H. 77. To amend Section 186 of Title 14 of the Code of Alabama of

1940 as last amended September 11, 1951.

Judiciary.

By Messrs. Simon, Murphy, and Tyson:

H. 78. To amend Sections 286, 287, and 290, of the Code of Alabama of 1940, Title 14.

Judiciary.

By Messrs. Goodwyn, Hall, and Dawkins:

H. 79. To amend Section 204 of Title 26, 1940 Code of Alabama, as amended, the same pertaining to experience rating under the Unemployment Compensation Law.

Ways and Means.

By Messrs. Hawkins, Goodwyn, Nolen, Hall and Dawkins:

H. 80. To amend Section 185 of Title 26, 1940 Code of Alabama, as amended, the same pertaining to the definition of "employer" under the Unemployment Compensation Law.

Judiciary.

By Messrs. Hawkins, Goodwyn, Nolen, Hall and Dawkins:

H. 81. To amend Section 224, Title 26, 1940 Code of Alabama, as amended, the same pertaining to the period and termination of employer's coverage under the Unemployment Compensation Law.

Ways and Means.

By Messrs. Hawkins, Goodwyn, Nolen, Hall and Dawkins:

H. 82. To amend Section 225, Title 26, 1940 Code of Alabama, as amended, the same pertaining to employer's election under the Unemployment Compensation Law.

Judiciary.

By Messrs. Jenkins, Thomas, Law, Cox, Selman, Shumate, Pirkle, Ashworth, McKay, Wood, Ferrell, Speaks, Nettles, Kirkham, Money, Burkhalter, Solomon, Crook, Oakley, Killough, Taylor, Harrison, Brown (Lamar), Huddleston, Hawkins, McNider, Payne, Kendall, Richardson, Reynolds, Johnson (Tallapoosa), Adams, Hunt, McClenndon, Lee (Barbour), Albea, Bagley, Hodges, Gregory, Dickson and Hanby:

H. 83. Relating to crimes and offenses: To make it a misdemeanor for any person to leave in any place accessible to children, abandoned, unattended, or discarded iceboxes, refrigerators and the like, without removing locks or doors from the same; to provide for punishment of such acts; to declare such iceboxes and the like, public nuisances, and to provide for abatement of the same; to repeal all conflicting laws.

Judiciary.

By Mr. Brassell:

H. 84. To make it a felony for any person to buy or offer to buy the vote of another or to sell or offer to sell his own, and prescribing the penalty therefor.

Judiciary.

By Messrs. Harrison and Fite:

H. 85. Relating to judicial procedure; providing for a three-judge special court to hear and determine applications for injunctions restraining the enforcement, operation, or execution of orders or decisions of the Alabama Public Service Commission.

Judiciary.

By Messrs. Harrison, Ward, Burkhalter, Kendall, Brown (Lamar), Nettles, Branyon, Ramey, deGraffenried, Reynolds, Speaks, Pruitt, and Harvey:

H. 86. Relating to elections: to provide that the State shall reimburse a county either in whole or in part for the expenses incurred in holding and conducting certain elections, and appropriating funds for that purpose.

Constitution and Elections.

By Messrs. Harrison, Lee (Lawrence), Vacca, Kendall, Solomon, Dickson, Thomas, and Reynolds:

H. 87. To raise revenue: levying an additional privilege license tax upon every person, firm, or corporation who engages in the business of renting rooms, lodgings, or accommodations to transients; providing for the collection and enforcement of the tax, and for the distribution of the revenue produced thereby.

Ways and Means.

By Messrs. Summerlin, Hall, Nolen, Hanby, Pirkle, Burkhalter, Branyon, Davis, Selman, Shumate, Dement, Harrison, Pruitt, Harvey, Cox, McClendon, Kendall, Brannan, Edwards (Escambia), Ward, Cornett, Solomon, McLendon, Crook, Brown (Lee), Hardy, Hain, Molette, Bagley, Faulk, Locke (Choctaw), McNider, Wood, Bassett, Love, Killough, Taylor, and Reynolds:

H. 88. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1956 and September 30, 1957, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, and the Board of Trustees of the Alabama Institute for Deaf and Blind, and for the Teachers' Retirement System.

Ways and Means.

By Messrs. McKay and Payne (with notice and proof):

H. 89. Relating to Talladega County; to authorize the county governing body to appropriate county funds, within prescribed limits, for the payment of certain obligations of the county.

Local Legislation No. 1.

Notice and Proof H. 89:
State of Alabama,
County of Talladega

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to county boundaries; relocating the boundaries between the counties of St. Clair and Calhoun, St. Clair and Talladega, and Shelby and Talladega as the center line of the Coosa River, wherever those boundaries are formed by the Coosa River.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Wherever the Coosa River forms the boundary between St. Clair County and Calhoun County, St. Clair County and Talladega County, and Shelby County and Talladega County, those boundaries are hereby relocated and established as the center line of the Coosa River.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

(Feb. 24-M-3-10-17)

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Cecil Hornady, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Talladega News, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 24, March 3, March 10, and March 17, all in the year 1955.

CECIL HORNADY,
Editor and Publisher.

Sworn to and subscribed before me April 13, 1955.

SUE S. SUMMERLIN,
Notary Public.

By Messrs. McKay, Reynolds, Payne and Hain:

H. 90. Regulating the assignment or transfer of recorded mortgages, deeds of trust, retention of title contracts, and other such instruments held or owned as security for the payment of debts, by requiring the judge of probate of the county in which any such instrument is recorded to note on the margin of the record thereof the fact of such assignment or transfer.

Judiciary.

By Mr. McKay:

H. 91. To provide further for the development of public recreational programs and facilities: Creating a State Recreation Board, and providing for the creation of a State Recreation Advisory Committee; providing for the appointment of an Executive Director and other employees of the Board; making appropriations to effectuate the purposes of this Act.

Ways and Means.

By Messrs. Adams, Kendall, Hawkins, and Nice:

H. 92. To create a temporary commission for the study of Alabama's water resources and quantitative use of same, said Commission to be known as the Water Resource Study Commission; to provide for membership of said Water Resource Study Commission; to provide for the duties of said Commission; to provide for a Technical Secretary for said Commission and to provide for his duties and compensation; to appropriate the sum of \$25,000 for each of the fiscal years 1955 and 1956, for the activities of the Commission and its staff; and to provide for an expiration date for said Commission.

Ways and Means.

By Messrs. Adams, Johnson (Tallapoosa), Johnson (Elmore), and Law (with notice and proof):

H. 93. To apply in Elmore and Tallapoosa counties; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid, prohibiting the sale of fish so taken.

Local Legislation No. 1.

Notice and Proof H. 93:

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To apply in Elmore and Tallapoosa counties; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any person duly licensed as provided in this Act may take, capture, and kill catfish from the public streams and impounded waters of Tallapoosa and Elmore counties for his domestic use or consumption by the use of baskets or nets, including wire mesh baskets having a mesh of one inch or more; provided, that no person shall be licensed to fish with more than four such baskets or nets.

Section 2. Any person desiring a license to fish for catfish with baskets or nets, including wire mesh baskets, may apply to the probate judge of Elmore County or Tallapoosa County, and shall pay a privilege license tax of one dollar for each basket he proposes to fish, not exceeding four altogether. The probate judge shall issue such license on forms provided by the county governing body, and shall keep a permanent record of all licenses issued and all taxes received. Licenses shall be issued on a calendar year basis, and all licenses issued in any year shall expire on December 31 of each year.

Section 3. All revenues derived from the sale of licenses as provided in this Act shall be used by the county under the direction of the State Department of Conservation solely for stocking the streams and impounded waters in the county with game fish, or for the feeding and cultivation of game fish; provided, the probate judge may retain five per cent of all revenues collected for issuing such licenses and collecting such taxes.

Section 4. It shall be unlawful for any licensee to sell or offer to sell fish taken, captured or killed in a basket or net, including wire mesh baskets. Any person who violates this section shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by law; in addition to such punishment, the court trying the case shall revoke the license of such person.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

3-24-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Herve Charest, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of the Tallassee Tribune, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 24, March 31, April 7, and April 14, all in the year 1955.

HERVE CHAREST, JR.

Sworn to and subscribed before me April 12, 1955.

WILLIAM J. BROACH, JR.,
Notary Public.

My Commission expires

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF TALLAPOOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To apply in Elmore and Tallapoosa counties; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Section 1. Any person duly licensed as provided in this Act may take, capture, and kill catfish from the public streams and impounded waters of Tallapoosa and Elmore counties for his domestic use or consumption by the use of baskets or nets, including wire mesh baskets having a mesh of one inch or more; provided, that no person shall be licensed to fish with more than four such baskets or nets.

Section 2. Any person desiring a license to fish for catfish with baskets or nets, including wire mesh baskets, may apply to the probate judge of Elmore County or Tallapoosa County, and shall pay a privilege license tax of one dollar for each basket he proposes to fish, not exceeding four altogether. The probate judge shall issue such license on forms provided by the county governing body, and shall keep a permanent record of all licenses issued and all taxes received. Licenses shall be issued on a calendar year basis, and all licenses issued in any year shall expire on December 31 of each year.

Section 3. All revenues derived from the sale of licenses as provided in this Act shall be used by the county under the direction of

the State Department of Conservation solely for stocking the streams and impounded waters in the county with game fish, or for the feeding and cultivation of game fish provided, the probate judge may retain five per cent of all revenues collected for issuing such licenses and collecting such taxes.

Section 4. It shall be unlawful for any licensee to sell or offer to sell fish taken, captured, or killed in a basket or net, including wire mesh baskets. Any person who violates this section shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by law: in addition to such punishment, the court trying the case shall revoke the license of such person.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

3-15-22-29; A5c.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TALLAPOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 15, March 22, March 29 and April 5, all in the year 1955.

J. C. HENDERSON.

Sworn to and subscribed before me May 2, 1955.

OCIE MAE NIX,
Notary Public.

My Commission Expires February 1, 1958.

By Messrs. Adams, Johnson (Tallapoosa), Burkhalter, Jenkins, McClendon, Hunt, Franklin, McKay and Payne:

H. 94. Providing for the utilization of convicts furnished by the commissioner of corrections to work upon, clean, and restore certain cemeteries and graveyards.

Ways and Means.

By Messrs. Hanby, Hawkins and deGraffenried:

H. 95. To prohibit any bank, or any officer, agent or director thereof, from establishing a branch or office for the transaction of the banking business other than at the principal place of business of such bank, in any county, notwithstanding the provisions of any general laws of local application, and providing that this action shall not apply in counties where the same is now authorized by law.

Judiciary.

By Messrs. Selman and Shumate:

H. 96. To authorize and direct the State Board of Agriculture and Industries to acquire, equip, operate and maintain as a state market

a poultry processing plant in Walker County, Alabama, and to appropriate public funds for such purpose.

Ways and Means.

By Messrs. Law, Shumate, Selman, Jenkins, Pirkle, Ferrell, Kelly, Wood, Edwards (Escambia), McKay, Thomas, Brown (Lamar), Kendall, Oden, Davis, Dement, Branyon, and Broadfoot:

H. 97. To amend further the "Bread, Flour and Corn Meal Enrichment Act," Act No. 500, S. 356, approved July 9, 1943, (General Acts of Alabama, 1943, page 470,) as amended.

Agriculture.

By Messrs. Wood, Davis, Burkhalter, Brassell, Edwards (Escambia), Kelly, Broadfoot, Brooks, Huddleston, Cox, Ferrell, Pirkle, Lee (Lawrence), Stembridge, Brannan, Vacca, Murphy, Love, Oden, Hawkins, Branyon, Bassett, Reynolds and Gregory:

H. 98. To amend Section 38, Title 8, of the Alabama Code of 1940, relating to licenses for fishing on waters of this State.

Conservation.

By Messrs. Kelly and Edwards (Escambia):

H. 99. Relating to taxation; levying and providing for the collection of an additional license or privilege tax upon manufacturers and sellers of electric power; prescribing penalties for violations of the Act; and dedicating the proceeds of the tax for old age pension purposes.

Ways and Means.

By Messrs. Kelly and Edwards (Escambia):

H. 100. Relating to taxation; levying a tax of three percent of the rent for every occupancy of a room or rooms in a hotel, apartment hotel, inn, lodging house, tourist camp, tourist court, tourist home, motor court, or motel; providing for the collection of the tax and the disposition of the proceeds thereof.

Ways and Means.

By Mr. Kelly (with notice and proof):

H. 101. Relating to Winston County: To establish the Law and Equity Court of Winston County; to define its jurisdiction and powers, to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge to fix the time of sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the county court for Winston County and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Winston County, and causes pending in the Winston County Court.

Local Legislation No. 1.

Notice and Proof H. 101:

LEGAL NOTICE

**STATE OF ALABAMA
COUNTY OF WINSTON**

NOTICE is hereby given that a bill, substantially as follows, will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Winston County: To establish the law and Equity Court of Winston County; to define its jurisdiction and powers, to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge to fix the time of sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the county court for Winston County and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Winston County, and causes pending in the Winston County Court.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. There is hereby established in and for Winston County a court of law and equity, which shall be called the Law and Equity Court of Winston County.

SECTION 2. (a) The court hereby established shall be a court of record and shall have and exercise the following jurisdiction, authority and powers:

(1) Exclusive jurisdiction of matters triable in the county court under general laws.

(2) Unlimited jurisdiction concurrent with the circuit court of such county in all civil matters.

(3) Unlimited jurisdiction concurrent with the circuit court of such county in the following equity matters: Power and authority to grant divorces, either limited or absolute; suits for separate maintenance; to award alimony and effect property settlements in connection with such divorces; and cases involving domestic relations or the custody of children.

(4) To issue any and all special and extraordinary writs that the circuit courts or the judges thereof are authorized to issue.

(5) All other powers and authority that are or that may hereafter be conferred upon the circuit courts or the judges thereof, including the power to punish for contempt, unless otherwise provided in this Act.

(b) In all civil and equity cases in which both parties to the action are present in court, either in person or by attorney, if no specific objection to the jurisdiction of the court is raised by the defendant by plea, answer or demurrer, the jurisdiction of the court shall be deemed complete and cannot thereafter be questioned in any other court for any cause.

SECTION 3. Immediately after this Act becomes effective the Governor shall appoint a judge of the court who shall hold office until the first Monday after the second Tuesday in January, 1961. At the general election in 1960, and every six years thereafter, a judge of the court shall be elected for a term of six years beginning on the first Monday after the second Tuesday in January next following his election. The judge of this court shall before entering upon the duties of the office take the oath prescribed by law to be taken by judges of the circuit courts in Alabama. The judge of the court shall be a qualified elector of the county, not less than twenty-five years of age, and shall be learned

in the law, and has been licensed to practice law in this State for five years. The judge shall not practice law in any of the courts of this State or of the United States, during his term as judge of the court hereby established. He may be removed from office in the manner and for the causes now provided by law for the removal of circuit judges.

SECTION 4. The clerk of the circuit court of the county shall be by virtue of his office clerk of the Law and Equity Court of Winston County hereby established, and shall have the same powers and discharge the same duties as clerks of the circuit courts. He shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees, commissions and emoluments as are now or as may hereafter be allowed to circuit clerks of Alabama, which shall be collected as such fees and commissions are collected in the circuit courts, except that in civil matters where suit is brought for one hundred dollars (\$100.00) or less, only the fees and commissions allowed by law to justices of the peace shall be collected. The register of the circuit court in equity shall by virtue of his office be the register of the Law and Equity Court of Winston County, and shall have the powers and discharge the duties which shall devolve upon the register of the Law and Equity Court of Winston County. He shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees and commissions as are now or as may hereafter be allowed to the registers of circuit courts in equity, which shall be collected as such fees and commissions are collected in circuit courts.

SECTION 5. The judge of the Law and Equity Court of Winston County shall receive a salary of four thousand eight hundred dollars (\$4,800.00) per annum, payable in equal monthly installments out of the county treasury.

SECTION 6. The county or deputy solicitor appointed or elected for the county shall represent the State in all criminal cases in said court.

SECTION 7. The Law and Equity Court of Winston County shall be held at the courthouses in Double Springs and Haleyville and shall be open at all times for the transaction of business. In case of sickness or disqualification of the judge of the court, the law applicable to the appointment and service of special judges in the circuit court shall apply. The judge of the court shall keep an office at such suitable place as may be provided by the court of county commissioners, board of revenue or other governing body of the county. It shall be the duty of the governing body of the county to provide such office and supply the same with telephone service and office supplies. Such office furniture, furnishings, fixtures, law library and equipment as may be necessary to enable the judge of said court efficiently to conduct the affairs of his office shall be provided by the State Department of Finance.

SECTION 8. The judge of the court may determine and fix the time of holding sessions of the court for the trial of all cases, criminal, civil and equity; provided that all cases shall be called for trial at least once every thirty days. However, this section shall not be construed to prevent the continuance of any case in said court, by agreement of counsel or the parties on good cause shown the court, and when any cause is so continued to a specific time either for a cause shown to the court, or by agreement of the parties or counsel, it shall not be necessary to call said case until the expiration of the time to which it has been continued. And provided further, that the court shall have the right and power to call extraordinary session of said court whenever in the judgment of the court the same is necessary.

SECTION 9. All cases tried in the Law and Equity Court of Winston County shall be tried by the judge without a jury. The judge shall decide all questions of law and fact. Any party aggrieved by a decision in any civil case cognizable by justices of the peace may appeal at any time within five days after rendition of the judgment, to the circuit court, in the manner provided for appealing judgments rendered by justices of the peace. In any other civil case, if the defendant is entitled to a trial by jury under the Constitution, he may demand a jury trial by endorsement on the initial pleading filed, and thereupon the clerk of the court shall transfer the cause to the circuit court. Upon such transfer, the jurisdiction of the circuit court shall attach in said cause, and the jurisdiction of the Law and Equity Court of Winston County shall cease and terminate. The cause shall then stand regularly for trial in the circuit court. Unless a defendant demands a jury as herein provided, he shall be deemed to have waived a trial by jury; and the court shall make an entry thereof on the record and shall proceed to hear and determine the case.

SECTION 10. Appeals from judgments of the Law and Equity Court of Winston County in law and equity cases may be taken directly to the Supreme Court or the Court of Appeals in the same manner and within the same time that appeals are now taken from judgments in such cases in the circuit courts of the State.

SECTION 11. Upon conviction in a criminal case, the defendant shall have the right of appeal to the circuit court of the county, on entering into bond, with sufficient surety, to appear at the term of the court to which the appeal is taken, and from term to term until discharged, the bond to be in such penalty as the judge of the court may prescribe, and to be approved by the judge or clerk of the court. If the defendant does not make the bond required, he shall remain in custody and may, within ten days after taking said appeal, demand a trial by jury in the circuit court, otherwise, said case shall be tried by the court without a jury.

SECTION 12. All cases on the non jury docket and all cases on the equity docket now or hereafter pending in the Circuit Court of Winston County may, by agreement of the parties hereto, be transferred from the Circuit Court to the Law and Equity Court of Winston County. Likewise, all cases on the non-jury docket, and on the equity docket now or hereafter pending in the Law and Equity Court of Winston County may by agreement of the parties thereto, be transferred from the Law and Equity Court of Winston County to the Circuit Court of Winston County. In all cases, non jury and equity, now or hereafter pending in the Circuit Court of Winston County, wherein a judgment by default, nil dicit, or decree pro confesso has been rendered, the same may be transferred from the Circuit Court to the Law and Equity Court of Winston County for final judgment or decree on motion of the plaintiff or complainant. In all cases, non-jury and equity, now or hereafter pending in the Law and Equity Court of Winston County, wherein a judgment by default, nil dicit, or decree pro confesso has been rendered, the same may be transferred from the Law and Equity Court of Winston County to the Circuit Court, for final judgment or decree on motion of the plaintiff or complainant.

SECTION 13. The judge of the Law and Equity Court of Winston County shall have plenary power to adopt and enforce rules governing pleading, practice and procedure in the court, including the right to prescribe forms therefor. He may adapt to the needs of the court and incorporate into the rules of the court any or all rules relative to pleading, practice and procedures in the federal courts and the courts of other states, and such rules when adopted and promulgated shall

have the force and effect of law, and shall supersede conflicting rules governing pleading, practice and procedure in other courts in the State. The rules of practice and procedure in the circuit courts of the State shall govern the pleadings, practice and procedure in the court hereby established, except as herein otherwise provided.

SECTION 14. The sheriff of the county shall in person or by deputy or deputies appointed by him, said appointment to be approved by the judge of said court, attend upon the court, preserve order, execute all writs of process and perform as in the Circuit Court of this such other duties in all respects State. For service of the processes of the court, the sheriff shall receive such compensation as he receives under the law of the State of Alabama, or any laws enacted in the future by the Legislature of Alabama, for the compensation of the sheriff for similar services in the circuit court, except as herein otherwise provided.

SECTION 15. The judge of the Law and Equity Court of Winston County shall adopt a seal for the equity side of the court, which shall be kept in the custody and under the control of the register of the court.

SECTION 16. The judge of the Law and Equity Court of Winston County shall adopt a seal for the law side of the court, which shall be kept in the custody and under the control of the Clerk of the court.

SECTION 17. The judge of the court shall appoint a competent person capable of taking the proceedings of said court in shorthand as the official reporter for the court. The court reporter shall be removable at the discretion of the judge. His duties shall be the same as those required by law or reporters for the circuit courts of the State, and he shall receive the same rate of compensation for transcribing the testimony or other proceedings as is now provided for the circuit court reporter, and shall also receive the following pay while he is engaged in taking testimony or other proceedings of the court: \$5.00 (Five Dollars) for one-half day or fraction thereof and \$10.00 (Ten Dollars) for each full day, plus five cents (5 cents) a mile to and from the place of holding said court.

SECTION 18. It shall be the duty of the clerk of the court to keep a record upon which shall be recorded all affidavits made before the judge or clerk of said court, or returnable by a justice of the peace or judge of an inferior court in the county to the court; and if any affidavit should be lost or destroyed, a certified copy of the record shall be used the same as the original affidavit. For recording each affidavit the clerk shall receive a fee of seventy-five cents to be taxed as costs in case of the defendant's conviction.

SECTION 19. The county court for Winston County is hereby abolished. The jurisdiction and authority formerly vested in the County Court is hereby transferred to and shall hereafter be exercised by the law and Equity Court of Winston County. All cases pending in the County Court for Winston County when this Act becomes law shall immediately become pending upon the docket of the Law and Equity Court of Winston County as though originally brought in said court.

SECTION 20. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

SECTION 21. All laws or parts of laws which conflict with this Act are repealed.

SECTION 22. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Haleyville Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 8th day of April, 1955, and the last copy of said publication appearing in the said paper on the 29th day of April, 1955.

JAY THORNTON.

Sworn and subscribed to before me this 29th day of April, 1955.

R. J. THORNTON,
Notary Public.

By Mr. Kelly (with notice and proof):

H. 102. Relating to Winston County: to provide further for the management and control of county funds and property; creating the office of county director of finance, and providing for his appointment, term of office, duties, powers, and compensation; prescribing bugetary, purchasing, and property control procedures; abolishing the offices of county treasurer and treasurer of the highway board.

Local Legislation No. 1.

Notice and Proof H. 102:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

Relating to Winston County: to provide further for the management and control of county funds and property; creating the office of county director of finance, and providing for his appointment, term of office, duties, powers, and compensation; perscribing bugetary, purchasing, and property control procedures; abolishing the offices of county treasurer and treasurer of the highway board.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby created the office of director of finance for Winston County.

Section 2. The director of finance, who must be a qualified elector of Winston County, shall be appointed by the Governor for a term of six years from a list of nominations submitted by the member of the Senate who represents Winston County, and the member of the House of Representatives from Winston County.

Section 3. The director of finance shall receive a total salary of five thousand dollars (\$5,000.00) per annum to be paid as follows: Two thousand five hundred dollars (\$2,500.00) per annum to be paid in equal monthly installments from the public road and bridge fund of the county; one thousand seven hundred fifty dollars (\$1,750.00) per annum to be paid in equal monthly installments from the general fund of the

county; and seven hundred fifty dollars (\$750.00) per annum to be paid in equal monthly installments from public school funds of the county.

Section 4. The court of county commissioners shall provide the director of finance with the office space, equipment, postage, and other supplies necessary for the performance of his duties as provided for by this Act.

Section 5. The director of finance shall have the authority to hire the assistants necessary to carry out the provisions of this Act. The compensation of such assistants shall be fixed by the director of finance, with the advice and consent of the highway board and the court of county commissioners. The compensation for each assistant shall be paid as follows: Fifty per cent of the total annual compensation of each assistant shall be paid in equal monthly installments from the public road and bridge fund of the county; thirty-five per cent of the total annual compensation of each assistant shall be paid in equal monthly installments from the general fund of the county; and fifteen per cent of the total annual compensation of each assistant shall be paid in equal monthly installments from the public school funds of the county.

Section 6. Before entering upon the discharge of his duties, the director of finance must give bond in the sum of twenty-five thousand dollars (\$25,000.00), such bond to be payable to Winston County and conditioned as prescribed by law for faithful performance of his duties, and recorded in the office of the judge of probate. Any penalty or forfeiture accruing to Winston County under the terms of the bond shall be apportioned among the public road and bridge fund, the County general fund, and the public school fund in accordance with the amount of loss suffered by each fund as a result of any act, or the failure to act, on the part of the director of finance. The premium on such bond shall be paid as follows: One-third of the amount of the premium shall be paid from the public road and bridge fund of the county; one-third of the amount of the premium shall be paid from the general fund of the county; and one-third of the amount of the premium shall be paid from the public school funds of the county.

Section 7. The director of finance shall perform the following duties:

- (1) He shall install, maintain, and keep all accounting and reporting records required by law to be kept by both the highway board and the court of county commissioners.

- (2) He shall prepare and present to the highway board for approval, not later than the second Monday in August of each year, an estimate of the revenues anticipated and of the required expenses of the highway board for the next succeeding fiscal year.

- (3) He shall prepare and present to the court of county commissioners for approval, not later than the second Monday in August of each year, an estimate of the revenues anticipated and of the required expenses for the several divisions of the county government for the next succeeding fiscal year.

- (4) He shall require the adoption of a budget by the highway board, and upon the adoption of a budget by the highway board, he shall be responsible for the execution of the budget, so adopted and shall audit all claims and insure that all expenditures from the public road and bridge fund are made in strict compliance therewith.

- (5) He shall require the adoption of a budget by the court of county commissioners, and upon the adoption of a budget by the court of county commissioners, he shall be responsible for the execution of the

budget so adopted, and shall audit all claims and insure that all expenditures of county funds are made in strict compliance therewith.

(6) He shall have direct control of, and responsibility for, all property of the county over which the highway board or court or county commissioners has authority, and he shall maintain and keep such property in repair at all times. All machinery, equipment, and other such property which is used in the construction and maintenance of county roads and bridges shall be kept in a central location designated by the director of finance, except when such machinery, equipment, or property is actually being used in the construction and maintenance of county roads and bridges.

(7) He shall maintain in a permanent record a perpetual inventory of all property of the county over which the highway board has authority, and he shall insure such property as the highway board may direct.

(8) He shall maintain in a permanent record a perpetual inventory of all property of the county over which the court of county commissioners has authority, and he shall insure such property as the court of county commissioners may direct.

(9) He shall receive and safely keep all funds of the county in their separate and proper accounts, as may be provided by law, in a depository designated by the court of county commissioners, and he shall disburse all funds of the county in the name of the highway board, or the court of county commissioners, as the case may be, on his signature as director of finance.

(10) He shall be charged with the safekeeping of all securities and investments of the county under the jurisdiction of either the highway board or the court of county commissioners, and shall have authority to rent, at the expense of the county and payable from the general fund of the county, ample and safe bank storage space to insure the safe keeping of such securities and investments.

(11) He shall, when he deems proper, examine or cause to be examined the account and records of any and all county offices from which revenue is derived; demand and receive all monies due the county from any such office; and institute proceedings for the recovery of money due the county against any defaulters.

(12) He shall, when he deems proper, examine or cause to be examined the accounts and records of any division of the county government disbursing or using county funds.

Section 8. The director of finance shall act as county custodian of school funds in the same manner and to the same extent as may be required by general law of county custodians of school funds.

Section 9. The director of finance is hereby charged with the duty of purchasing all supplies, materials, equipment and contractual services, excluding contracts for professional or other personal services, for Winston County which the highway board, court of county commissioners, and county board of education are authorized by law to purchase for use of the county. No purchases may be made for the use of the highway board or court of county commissioners, or for any office or department of the county government under the jurisdiction of either the highway board or court of county commissioners, except upon requisition signed by a majority of the members of the highway board or the court of county commissioners, as the case may be. No purchase for the use of the county board of education shall be made except upon requisition signed by the county superintendent of education. The county

superintendent of education, however, in the management and expenditure of county school funds, shall continue to be governed by all general and local laws applicable to him, except insofar as the provisions of this Act are applicable.

Section 10. The director of finance shall obtain at least three written, sealed, competitive bids for all purchases of supplies, materials, equipment and contractual services when the amount involved is five hundred dollars (\$500.00) or more. If the purchase involves an amount of less than five hundred dollars (\$500.00), the director of finance may make such purchases either upon the basis of sealed bids, or in the open market, in his discretion. It shall be a violation of this section to divide or otherwise adjust the quantity of a purchase to an amount less than five hundred dollars (\$500.00) for the purpose of evading the requirements of this section. Invitations for bids shall be posted on a bulletin board in the county court house and sent to prospective suppliers at least one week before the final date for submitting bids. Bids shall be opened publicly by the director of finance at the time and place stated in the invitations. The director of finance shall award the purchase to the lowest responsible bidder, or, if the public interest is best served thereby, he may reject all bids and purchase in the open market, if the price paid in the open market does not exceed that of the lowest responsible bidder. All bids, with the names of the bidders, shall be entered on a permanent record, and each record, with the successful bid indicated thereon, and with the reasons for the award if not awarded to the lowest bidder, shall, after the award of the order or contract, be open to public inspection. Preference shall be given to supplies, materials, and equipment produced or sold in Winston County, provided there is no loss in price or quality.

Section 11. The director of finance shall obtain information from the division of purchases and stores of the state department of finance relative to the items to be purchased by competitive bids; and if the state price is less than the lowest bid received, and if the delivery date is reasonable, all bids shall be rejected and the purchase shall be negotiated through the division of purchases and stores.

Section 12. In an emergency, a purchase may be made without competitive bids and without obtaining information from the division of purchases and stores. However, a full written account of the circumstances necessitating any such emergency purchase, together with a statement describing the item purchased and naming the vendor from whom the item was purchased shall be at once prepared by the director of finance and filed in his office. The provisions of this Act regarding competitive bidding and obtaining information from the division of purchases and stores may be waived for purchases of perishable commodities, utility services, and commodities and services for which there is no competitive situation.

Section 13. In the event of the sale, trade, or other disposition of any property of any kind or nature over which the highway board, court of county commissioners, or county board of education has authority, the director of finance shall follow the procedure outlined in this Act as it relates to the obtaining of written, sealed, competitive bids, and the sale, trade, or other disposition of such property shall be made in accordance with the most advantageous offer made for such property. In the event any such property is sold, traded, or otherwise disposed of, all bids, with the names of the bidders, shall be entered on a permanent record, and the record shall be open to public inspection.

Section 14. The court of county commissioners shall designate as the county depository an incorporated bank in Winston County, and all funds of the county, including public school funds, shall be placed in the

depository so designated. The designation of the county depository, and the management of county funds in the depository shall be made in the manner provided by general law, except as otherwise provided for by this Act. All warrants drawn upon the depository, except for warrants drawn upon public school funds, must be signed by the director of finance, who shall be liable for any warrant drawn and paid by the depository from any funds, except public school funds, without the authority of law.

Section 15. The highway board, the court of county commissioners, and the county board of education shall continue to have the same powers and duties as provided by law, except as otherwise provided for by this Act.

Section 16. The office of the treasurer of the highway board, and the office of the county treasurer, are both hereby abolished. All books, records, equipment, supplies and other property under the authority and supervision of the treasurer of the highway board and the county treasurer shall immediately be transferred to the office of the director of finance upon the appointment of a director of finance.

Section 17. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 18. All laws or parts of laws which conflict with this Act are repealed.

Section 19. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

FA-12-21-28-1-4-11

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Haleyville Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 21st day of December, 1954, and the last copy of said publication appearing in the said paper on the 11th day of January, 1955.

JAY THORNTON.

Sworn and subscribed to before me this 29th day of April, 1955.

R. J. THORNTON,
Notary Public.

JOINT SESSION

The hour of one o'clock P.M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the Hall of the House of Representatives, in accordance with S.J.R. 2, for the purpose of hearing an address by His Excellency, James E. Folsom, Governor of the State of Alabama.

The joint session was called to order by Honorable W. Guy Hardwick, Lieutenant Governor and Presiding Officer of the Senate.

GOVERNOR'S MESSAGE

His Excellency, James E. Folsom, Governor of the State of Alabama, appeared before the joint session and delivered the following message: Governor Hardwick, Mr. Speaker, Members of this Joint Session:

This is one of many joint sessions in history—one of many that I have been privileged to address. There are many and varied things for this session to take up during the next few legislative days and I want to enumerate my recommendations. Later I will present to you the budget for the entire state—the executive budget.

Now, the first thing, and the important thing, that I advocated to the people of Alabama was reapportionment, for which I called a special session. That session is now in recess. I enumerated the importance to you many times and I hope that you will accept some form of reapportionment in this regular session. If not, of course, we fall back to the special session. As I have said time and time again, we must have reapportionment to abolish sectionalism in Alabama. It's time we should end the North Alabama, the South Alabama and the Blackbelt section and bring us to a State of Alabama. I hope you will give that serious consideration.

Number two, Old Age Pensions. You have done a great work towards old age pensions. Many of you have had an extremely favorable reaction to that, and I want you to know that I am proud of it. That is important to you and to me and to the people of Alabama. You are to be congratulated for that fact.

I am not going to talk long but I have much to talk to you about. I speak from notes—speaking from notes as I always like to.

OLD AGE PENSIONS

We've had hundreds on top of hundreds of letters congratulating you and me for the work that has been done along that line so far. But enough work has not been done. We find that the applications are pouring in and many people will be asking for assistance—old age assistance—and I recommend to you, and this will come outside of the budget, that you increase the old age pension revenue so that the many people who have applied may be taken care of at the full \$50 a month. And there is a way to do it and I sincerely recommend that this be done.

We now have an alcoholic beverage control system in Alabama. There are many problems concerned with the alcoholic control system. One of them is that we have unstamped whiskey with government stamps on it being sold in this State without a state label. We are missing millions of dollars through that avenue of escape. So, to stop that, it's nearly impossible to stop it by enforcement, to stop that, I sincerely propose to you that along with the county option system in this state we have a city option system of 2,500 people or over for the cities of this State—that money to be set aside for the old people. That will do two things—now listen closely, that'll stop much of this bootlegging of red commercial whiskey with a government stamp on it and will bring in millions of dollars of extra revenue for the old folks. Now we already have that system and I can think of no better way to help the old people of this State, taking it out of the hands of the bootleggers and putting it into the hands of the old folks of this State of Alabama. I sincerely recommend that you consider this.

MAIL BOX ROADS

For the road program you recently enacted, you have had many

congratulations, I know, just like you have had about the old age pension program, and as the years go by and the people ride on these rural roads that you provided—especially towards the end of this administration—you will receive many, many more congratulations. The thing that the people talked to me the most about, when I went out of office before, was the fact that many mail box roads had been built in this State.

EDUCATION

The educational program primarily come up in the budget. I promise you when that's considered it will be an ample education program second to none in the South for the children of Alabama.

AGRICULTURE

Naturally we want an agricultural program. The best way we can aid agriculture—the paramount way, of course—is to get good roads and education, and I intend to do my part along that line. The farming system of Alabama is our life blood—without it we cannot exist, so it will always be the purpose of this administration to look forward to the aiding of agriculture in every way possible so that we may progress in the future as we have in the past. I'm proud of our pasture farming, our tree farming, our row crop farming, our dairy farming. We excell, I believe, in all of these fields.

TRANSPORTATION

Transportation, of course, as has always been said, is the life blood of commerce. And it is my wish that as few restrictions on transportation can be placed as possible because the lower price we haul the goods of this earth to the people of this earth the better everyone will be. I hope we will place as few restrictions on all forms of transportation as possible.

BUSINESS AND INDUSTRY

Many of you have heard my speeches over the State relative to business and industry. I want to say this, you passed part of that bill the other day in your insurance premium tax bill. I talked to a prominent banker in this state recently who bids on bonds for his bank, and sometimes for bond houses who in turn sell them to insurance companies. Since you passed that bill, he took into consideration your law and he reduced his bid considerably. That means more money is coming into Alabama and I want to thank and congratulate you for putting that important and progressive piece of legislation across. In years to come you will be patted on the back for that fine piece of work. I hope you will look further into that kind of legislation, such as the Texas plan and also consider that, without, of course, putting any undue burden on our domestic or either our foreign companies. However, I know this bill was effective in Texas. And along that line, let me speak further. You see I'm in the insurance business—helped start a little company down in Elba. We now have four little companies and they are all doing well. They provide plenty of credit. I think that every county in Alabama should have an insurance company, life or fire or casualty of some sort. I don't mean a fly-by-night outfit. We won't approve any company like that. But that's the part of my program of keeping insurance premiums in Alabama and thus providing credit in Alabama. It was my privilege to encourage and appoint and approve many charters for companies when I was Governor before.

LABOR

Recently I have been engaged in many conversations relative to the strikes, and I have talked to officials at the statewide elective level from

all over the South, and most of them gave the credit to this so-called "Right-to-Work" bill we've got—some call it the "Right-to-Wreck." Seems like it is wrecking us down here. Most of our states down South have that bill, and naturally we are being used as a guinea pig to see how that bill works down here. And it's put a burden upon our economy. It has thrown many of our people out of work and they are still out of work, and primarily the reason that we can't get anywhere in negotiations in these strikes is because of these laws in effect in the various states. Now the Telephone Company—I feel sorry for them—fifteen billion dollar corporation—I'm just afraid they are going to starve to death. They've got a guaranteed income here in Alabama of six and one-half per cent by law—makes no difference how much they spend they've got to make 6 1/2 per cent profit. I wish somebody would guarantee my business that.

So, I hope and recommend, and I hope this Legislature will carry it out, that either drastic revisions be made in the so-called Right-to-Work law, or an outright repeal be enacted.

HEALTH

I am proud of our efforts to improve the health of our people, and I know you are. And I'm very humble that one of the successes of my previous administration was the bond issue to help the localities with the various hospitals you see as you ride about over the state. I'm proud that was continued by my distinguished predecessor in his administration. There is one important thing I would like to add—I hope this Legislature can see fit to find the revenue to provide free beds and care for TB patients. A person with TB is pitiful unless they have the means to care for themselves. I'm going to recommend to you in just a few minutes the place where we can get that revenue.

CONSERVATION

In the budget we expect to recommend plans for a revenue bond issue to finance and bring up to date our state parks that have not been really renovated nor have had any additions made to amount to anything since the last administration of the late Bibb Graves. I do want to recognize, however, one important thing that has taken place since the Bibb Graves administration. In the previous administration there was provided a state park for Negroes in the Tennessee Valley. I think this Legislature should look further along that line for South Alabama, and I so recommend.

That in review is the main planks of the platform upon which I ran. There are many other things that I talked about in my speeches and the one you heard at the inauguration.

PUBLIC DEFENDER

In my previous administration I said time and time again that the prisons of Alabama were too full of "prison slaves" so to speak. I was damned from one end of this state and my administration was damned from one end of this state for taking that stand. I want you to know I still take that stand, and the leaders of the present administration took that public stand. I don't know whether a public defender is the answer or not, but something needs to be done about it and I recommend a Public Defender.

POLL TAX AND JURY SERVICE

Naturally I recommend the abolition of the poll tax. I recommend Jury Service for women. I recommended that before, and I so recommend again.

FEE SYSTEM

Another thing that is burdening our jails with prisoners is the damnable fee system, where somebody gets a lousy, lowdown, dirty fee to send some poor man to jail. To me one hour of a man's liberty is worth all the fees in the world.

AID FOR TB

Here's where we come to the revenue for the TB patients. A lot of revenue in Alabama goes to whiskey agents. A lot goes to whiskey advertising. I hope some means can be found to abolish whiskey advertising and whiskey agents by law and give that to the sufferers of TB.

BOARD CHANGES

Here's an important thing. As to the various boards and departments of this state government, many of them have been taken out of politics. The State Docks Board was taken out of politics in the past administration. A board of that importance, or department, should serve under an elected official. And if you want to elect a Dock's Director state-wide, that suits me, but to put it in private hands is a thing that I can't see. I've said time and time again, and I still say, you can't take politics out of politics. When you take it out of politics you put it into private hands. So I recommend, and I hope this Legislature will see it to carry it out, that all boards in the Executive Branch of government, departments, or otherwise—that a majority of those board members be named with terms running concurrent with the governor's term, whoever the governor might be, who appoints them. And all departments that are in private hands, and are accountable to no person, they either should be put under elected officials, or made responsible to a majority of the board whose term runs concurrent with the governor. It makes no difference to me if you put the department under the State Auditor, or the State Treasurer or Commissioner of Agriculture, or elected department head who is elected by state-wide vote. That's the only way you can have democracy that's conducive to the will of the people. That's fundamental and cannot be debated successfully.

ELECTION LAWS

I have asked the State Committee to make recommendations relative to the election laws. The main recommendation will be to bring the primaries closer to the general elections. My recommendation is that the absentee ballot be entirely abolished.

Now, most of this can be accomplished by hard work. There is an old and ancient saying, regardless of who you are and where you come from, you've heard it, "You get out of a thing what you put into it." I have read it in countless books, heard it a thousand times from my mother, it was taught to me in school, and that's what I recommend to you in this session—that you work hard and put a lot of effort into this session so we can report back to our people with the satisfaction of a job well done.

STUDY ON GOVERNMENT CHANGES

Later on in the session I expect to recommend vast reforms. I won't go into details right now of such reforms as they cannot be successfully taken up now. They must be done by executive or interim committees, and I will only mention them to you here.

I expect to recommend to this body a complete study in interim session of the entire judicial branch of the government, looking into such things as our criminal statutes, the set-up of our courts. This has been recommended by many legal authorities of this state and it's going to be a vast study and will take a committee of considerable size.

There are many other things in that branch of the government that can be considered. Perhaps I shouldn't bring it up at this time but I want you to give some thought and study to it.

There have been many recommendations about the legislative branch of the government, so I am going to recommend that a committee be set up, at the proper time, for a complete study of the legislative branch of the government. Many have recommended that the Legislature should be on a salary, and I think so myself, and will recommend that at the proper time. Of course, that will have to be by Constitutional amendment, as you know.

Many think that the Legislature should be divided into sessions so that part of it can be carried over in each administration, just as the Congress does. I think that's a wise move.

I think a study should be made of the executive branch of the government. There are many departments that are vast and overlapping. There needs to be studies in all the departments where greater economy can be carried out. There needs to be studies leading to consolidations so that the will of the people can be heard better as each administration takes over.

These three important branches of government, of course, are the fundamentals and as I said that's a vast and far reaching study, but it's important, and I have had enough of experience in it to know it should be made. I want to congratulate you for the work you have already done on the old age pension program, the mail box road program—and what you will do on the reapportionment program. So, it is with my humble prayer that you, the elected servants of the people, put all you have got into this session and that is the only way that you will be able to get all that you can out of it.

May God be with you in your deliberations, and good luck and God bless you.

The purpose of the joint session having been accomplished, the Senate retired to its Chamber.

The Speaker of the House then called the House to order.

COMMITTEE APPOINTED

The resignation of Messrs. Simon and Pirkle on the committee heretofore appointed pursuant to the provisions of H.R. 1, adopted at the First Extraordinary Session of 1955 were accepted, and the Speaker appointed Messrs. Bagley and Stokes to fill the vacancies created by the resignations of Messrs. Simon and Pirkle.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Brannan:

H.R. 3. Resolved, that immediately following the Introduction of Bills today, the House will proceed to elect six members of the House to serve as members of the Legislative Council, four members of the House to serve as members of the Building Commission, and five members of the House to serve as members of the Legislative Committee on Public Accounts, as prescribed by law.

Resolved further, that the election shall be conducted as follows:

1. The Speaker shall name four members as tellers.

2. Nominations shall be made from the floor.

3. The names of all members nominated shall be indicated by the "Aye" sign on the electrical roll call system device.

4. Each member of the House will vote by secret ballot for the number of nominees that there are places to be filled.

5. Any tie vote shall be decided by the Speaker.

6. Separate elections shall be held for members of the Legislative Council, members of the Building Commission, and members of the Legislative Committee on Public Accounts.

7. The nominees receiving the largest number of votes shall be declared elected.

The motion of Mr. Brannan to suspend the rules in order to bring up for immediate consideration the above and foregoing H.R.3 was lost.

Yeas 22; Nays 50.

Messrs.:	Haltom	Mathison	Ramey
Brannan	Harrison	Meeks	Richardson
Branyon	Hunt	Money	Solomon
Brown (Lee)	Kaul	Nice	Thomas
Cox	Lee (Barbour)	Perry	Vacca
Dickson	Love	Pirkle	

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Mr. Speaker	Edwards (Escambia)	Jenkins	Oakley
Albea	Faulk	Kelly	Oden
Bagley	Ferrell	Kendall	Payne
Bassett	Gist	Killough	Roberts
Bradford	Gregory	Kirkham	Selman
Broadfoot	Grouby	Locke (Choctaw)	Shumate
Brown (Lamar)	Hall	McClendon	Steagall
Cornett	Hanby	McKay	Stembridge
Crook	Hardy	McLendon	Summerlin
Davis	Hain	McNider	Taylor
Dawkins	Hawkins	Nettles	Tyson
deGraffenried	Hodges	Nolen	Windle
Dement	Huddleston		

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And said resolution H.R. 3 was referred to the Standing Committee on Rules.

Also:

By Mr. Dawkins:

H.R. 4. BE IT RESOLVED by the House that the election to membership from the House on the Legislative Committee on Public Accounts, the Legislative Council and the State Building Commission be held in the Hall of the House of Representatives on the 10 day of May, 1955, at 2:30 o'clock P.M.

BE IT FURTHER RESOLVED that upon and after nominations from the floor have been made and the nominations closed, that, for the purpose of ascertaining the will of the House, the Speaker appoint four tellers; each member shall write the names of his choice, five for the Legislative Committee on Public Accounts, six for the Legislative Council and four for the State Building Commission; that, if on the first ballot, a majority shall not be received by as many persons as there are members to be elected, then those who do receive a majority shall

be declared elected, and the House shall then vote on twice the number remaining to be elected, such votes to be limited to those receiving the highest vote on the first ballot; and that the election shall proceed in like manner until as many persons as there are positions to be filled shall receive a majority of the votes cast;

Thereupon those thus selected shall be elected viva voce.

On motion of Mr. Dawkins the rules were suspended and H.R. 4 was adopted.

Also:

By Mr. Kelly:

H.R. 5. Resolution requesting advisory opinions of the Justices of the Supreme Court relative to the constitutionality of the pending bill establishing a law and equity court in Winston County.

Resolved by the House of Representatives, that the Justices of the Supreme Court of Alabama, or a majority of them, are hereby respectfully requested to give this body their written opinions concerning the following important constitutional question which arises in connection with H. 101, a pending bill for an act to establish a law and equity court in Winston County:

QUESTION 1. Does said bill propose a law establishing a court of general jurisdiction at law or in equity, or both, contrary to the provisions of Section 139 of the Constitution of 1901?

Resolved further, that the Clerk of the House shall forthwith transmit seven copies of this Resolution, together with seven true copies of H. 101, to the Clerk of the Supreme Court of Alabama.

On motion of Mr. Hawkins the rules were suspended and H.R. 5 was adopted.

ADJOURNMENT

On motion of Mr. Hawkins the House adjourned until Friday, May 6, 1955, at ten o'clock A.M.

SECOND DAY

House of Representatives
Montgomery, Alabama
Friday, May 6, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Comer Woodall, Pastor, Frazer Memorial Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Messrs.:	Bassett	Brewer	Burkhalter
Adams	Boyd	Broadfoot	Callahan
Albee	Bradford	Brooks	Cornett
Ashworth	Branyon	Brown (Lamar)	Cox
Bagley	Brassell	Brown (Lee)	Davis

Dawkins	Hawkins	McKay	Ramey
deGraffenried	Hodges	McLendon	Reynolds
Dement	Holliman	McNider	Richardson
DeSear	Huddleston	Martin	Roberts
Dickson	Hunt	Mathews	Selman
Edwards (Escambia)	Johnson (Elmore)	Mathison	Shumate
Edwards (Jefferson)	Johnson (Tallapoosa)	Meeks	Simon
Ferrell	Kaul	Molette	Solomon
Franklin	Kelly	Money	Speaks
Gist	Kendall	Murphy	Steagall
Goodwyn	Killough	Nettles	Stembridge
Gregory	Kirkham	Nice	Stokes
Grouby	Lackey	Nolen	Summerlin
Hain	Law	Oakley	Taylor
Hall	Lee (Barbour)	Oden	Thomas
Haltom	Lee (Lawrence)	Payne	Tyson
Hardy	Locke (Choctaw)	Perry	Vacca
Hare	Locke (Perry)	Pirkle	Windle
Harrison	Love	Pruitt	Wood
Harvey			

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the first legislative day and finds the same to be correct.

GEORGE HAWKINS,
Vice-Chairman

On motion of Mr. Dawkins, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the first legislative day was approved.

RESOLUTION

The following resolution was introduced:

By Messrs. Bagley, Albea, Nolen, Goodwyn, Hall, Dawkins, McKay, Payne and Locke (Choctaw):

H.J.R. 6. BE IT RESOLVED by the House of Representatives, the Senate concurring, that

WHEREAS, the Honorable Robert Bryan Carr, departed this life on Monday, May 2, 1955; and

WHEREAS, for more than thirty years Judge Carr served with distinction as one of Alabama's leading jurists; first, as a Judge of the Seventh Judicial Circuit, and later as a member of the Court of Appeals, of which he was the Presiding Judge at the time of his death; and

WHEREAS, Judge Carr was not only an able jurist, but he was a leader in church and civic affairs, always deeply interested in the welfare of his fellow-man; and

WHEREAS, the State of Alabama has lost one of its most distinguished citizens; and

WHEREAS, the Legislature of Alabama feels a great loss in the passing of Judge Carr;

NOW, THEREFORE, BE IT RESOLVED by the Legislature of Alabama that the Legislature extends heartfelt and deep sympathy to the members of the family of Judge Carr;

BE IT FURTHER RESOLVED that this resolution be spread upon the Journals of both houses of the Legislature; that a copy of the same be sent to his surviving widow, his daughter, Miss Betty Carr, and his son, Robert Bryan Carr, Jr.

On motion of Mr. Bagley the rules were suspended and H.J.R. 6 was adopted.

BILLS ON SECOND READING

Mr. Brassell, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

(With Amendment):

H. 84. To make it a felony for any person to buy or offer to buy the vote of another or to sell or offer to sell his own, and prescribing the penalty therefor.

Mr. Brassell, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1. To amend Sections 20 and 21 of Title 30, Code of Alabama (1940), which relate to the qualifications of persons on jury rolls.

H. 47. To provide further for the admittance of applicants to the State bar examinations.

H. 51. To amend Section 55 of Title 30 of Code of Alabama of 1940, relating to challenges of jurors for cause.

H. 59. Relating to civil remedies and procedure: to provide further for venue in actions on policies or certificates of insurance.

H. 78. To amend Sections 286, 287 and 290, of the Code of Alabama of 1940, Title 14.

H. 80. To amend Section 185 of Title 26, 1940 Code of Alabama, as amended, the same pertaining to the definition of "employer" under the Unemployment Compensation Law.

H. 82. To amend Section 225, Title 26, 1940 Code of Alabama, as amended, the same pertaining to employer's election under the Unemployment Compensation Law.

H. 83. Relating to crimes and offenses: To make it a misdemeanor for any person to leave in any place accessible to children, abandoned, unattended, or discarded iceboxes, refrigerators and the like, without removing locks or doors from the same; to provide for punishment of such acts; to declare such iceboxes and the like public nuisances, and to provide for abatement of the same; to repeal all conflicting laws.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the follow-

ing bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 28. To propose an amendment to the Constitution abolishing the poll tax as a prerequisite to voting.

The above bill was read a second time at length as required by the Constitution.

H. 29. Relating to the qualifications of an elector; amending further Section 12 of Title 17, Code of Alabama (1940), as amended.

H. 2. Relating to public health; making an appropriation of one hundred thousand dollars to the State Health Department to pay the cost of inoculating indigent children with the Salk vaccine for polio.

H. 32. To provide for the examination and audit periodically of the books, accounts, vouchers and records of State, County and City officers and offices, bureaus, boards, commissions, institutions and departments and to recreate in the Department of Finance the Division of Examiners of Public Accounts: and to abolish the Department of Examiners of Public Accounts: to transfer the functions, funds, books, records, furniture, fixtures, supplies and equipment from the Department of Examiners of Public Accounts to the Department of Finance: to provide for the personnel requirements for the activity authorized by this Act: to provide for an Assistant Director of Finance to supervise the examinations and audits of county and municipal officers and offices, bureaus, boards, commissions, institutions and departments: and to require the Budget Officer to maintain current examinations of the books, accounts, vouchers and records of the State officers and offices, bureaus, boards, commissions, institutions and departments and to provide additional compensation therefor: and to repeal all acts contrary to the provisions of this Act and especially Act No. 351, (General Acts of Alabama 1947, page 231), approved August 15, 1947; Act No. 353 (General Acts of Alabama 1951, page 640) approved August 3, 1951; Act No. 62 (5th Special Session 1950, page 124) approved November 1, 1950; Act No. 917 (General Acts of Alabama 1951, page 1568) approved September 12, 1951; Act No. 791 (General Acts of Alabama 1953, page 1085) approved September 19, 1953; Act No. 100 (General Acts of Alabama 1943, page 105) approved June 8, 1943; and Act No. 194 (General Acts of Alabama 1945, page 318) approved June 29, 1945.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 33. To authorize the Governor, the Director of Finance, and the Attorney General to become a public corporation for the purpose of acquiring land from the State or otherwise upon which it shall, at a cost not to exceed five million dollars, construct, operate and maintain, or cause to be constructed, operated and maintained, an office building or buildings, the space therein to be rented to any department, board, bureau, commission, or agency of the State; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to provide for the lease to and by departments,

boards, bureaus, commissions, and agencies of the State of space for occupancy in said building or buildings; and to provide that any properties of the corporation and the income therefrom and any securities issued and the income therefrom and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 39. To appropriate out of any funds in the State Treasury not otherwise appropriated, the sum of \$375,000.00 to the Armory Commission of Alabama for the fiscal year ending September 30, 1955, to be used for providing additional armory facilities required by the Alabama National Guard and the Air National Guard units and headquarters and to be allotted and expended only when matching funds are made available by the United States Government for such purposes.

H. 40. To make an additional appropriation to the Military Department of the State of Alabama out of any funds in the State Treasury not otherwise appropriated in the sum of \$55,000.00 for the fiscal year ending September 30, 1955.

H. 75. To create a fund which shall be known as the Solicitor's Fund in the Thirteenth Judicial Circuit of Alabama; to provide for the appropriation of monies to said fund from the solicitors fees taxed and collected in all criminal cases in all courts in the Thirteenth Judicial Circuit and to authorize the expenditure of said fund by the Solicitor of the Thirteenth Judicial Circuit for law enforcement and the discharge of the duties of his office.

H. 79. To amend Section 204 of Title 26, 1940 Code of Alabama, as amended, the same pertaining to experience rating under the Unemployment Compensation Law.

H. 81. To amend Section 224, Title 26, 1940 Code of Alabama, as amended, the same pertaining to the period and termination of employer's coverage under the Unemployment Compensation Law.

Mr. Mathison, Vice-Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 41. Relating to the industrial development of the State of Alabama; to create a Department of Industrial Development; to provide for the appointment of the Director thereof and to fix his compensation; to define the powers and duties of said Department and Director; to authorize the creation of divisions within said Department and the appointment of the personnel thereof; to provide for an Industrial Development Board and for the appointment, terms and compensation of its members; to prescribe its powers, duties and authority; to transfer the powers, authority, duties, functions, funds, books, records, furniture,

fixtures, supplies and equipment from the State Planning Board to the Department of Industrial Development; to abolish the State Planning Board; to repeal an act entitled "An Act To create a State Planning Board and to provide for the appointment, removal, term, and compensation of the members thereof; to fix the powers, authority, and duties of the board; to provide for the appointment of a director of the board and for the selection of employees; and to make an appropriation for the maintenance and operation of the board", approved June 18, 1943.

Mr. Grouby, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 30 (with amendments). Relating to state government administration; creating a State Banking Department, and defining its powers and duties; transferring to the department the administration of the laws relating to banks and banking, credit unions, savings and loan associations, and the small-loan business; transferring to the department the bureau of banking, the bureau of savings and loan, and the bureau of loans of the department of commerce, and the personnel, funds, equipment, and supplies of such bureaus; providing for a superintendent of banks as head of the State Banking Department; prescribing his salary, qualifications, and duties; and abolishing the Department of Commerce and the office of Director of Commerce.

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 3. To extend, alter and rearrange the boundary lines and corporate limits of the City of Eufaula, in Barbour County, Alabama.

H. 6. To alter or re-arrange the boundary lines of the Town of Centre, Cherokee County, Alabama, so as to include within the Corporate limits of said Town all territory now within such corporate limits and also certain other territory in Cherokee County, Alabama.

H. 7. To regulate the sale of alcoholic beverages in Colbert County.

H. 18. To Amend Act No. 18, H. 6, approved February 17, 1955, creating the Cullman County Commission on Education and establishing the office of Superintendent of County Schools.

H. 19. Proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Cullman County.

The above bill was read a second time at length as required by the Constitution.

H. 20. To amend Section nine of Act No. 436, S. 523, approved July 29, 1907, the Act which created and established a commission known as "Selma Water Works Commission," (1907 Local Acts 554).

H. 48. Relating to Lauderdale County, directing the board of registrars to purge the list of registered voters; requiring and prescribing the procedure for the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

H. 49. To amend Act. No. 39, S. 13, approved February 18, 1955, the Act abolishing the Board of Revenue of Lauderdale County and reestablishing a Court of County Commissioners, by repealing Section 8 of said Act.

H. 50. To amend Section 2 of Article 1 of Chapter 2 of Title 62 of the Code of Alabama of 1940 withdrawing Lawrence County, Alabama from the application of said article 1.

H. 71. Relating to Mobile County: Fixing the salary of the judge of probate.

H. 72. To fix the salary of the tax assessor of Mobile County and to regulate the payment thereof.

H. 73. To apply in all counties having a population of not less than 230,000 nor more than 500,000 inhabitants, according to the last or any subsequent federal decennial census; to fix the compensation of the commissioner of licenses in all such counties.

H. 74. To provide further for the compensation of circuit judges in circuits composed of one county and having not less than four nor more than nine circuit judges.

H. 76. To apply in all counties having a population of not less than 200,000 inhabitants, according to the last or any subsequent Federal decennial census: To prescribe additional qualifications for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

H. 93. To apply in Elmore and Tallapoosa counties; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

H. 101. Relating to Winston County: To establish the Law and Equity Court of Winston County; to define its jurisdiction and powers, to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge to fix the time of sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the county court for Winston County and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Winston County, and causes pending in the Winston County Court.

H. 102. Relating to Winston County: to provide further for the management and control of county funds and property; creating the office of county director of finance, and providing for his appointment, term of office, duties, powers, and compensation; prescribing budgetary, purchasing, and property control procedures; abolishing the offices of county treasurer and treasurer of the highway board.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:
By Messrs. Speaks, Gist, Harrison, Callahan and Ashworth:

H. 103. To exempt gasoline sold to city and county boards of education for use in school buses and similar vehicles from the

gasoline excise tax levied in Section 647 of Title 51, Code of Alabama (1940), as amended.

Ways and Means.

By Mr. Huddleston:

H. 104. Transferring Colbert County from the Thirty-first to the Eleventh Judicial Circuit.

Judiciary.

By Mr. Love (With Notice and Proof):

H. 105. TO ALTER OR REARRANGE THE BOUNDARY LINES OF THE CITY OF ANDALUSIA, COVINGTON COUNTY, ALABAMA, SO AS TO INCLUDE WITHIN THE CORPORATE LIMITS OF SAID CITY ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY IN COVINGTON COUNTY, ALABAMA.

Local Legislation No. 1.

Notice and Proof H. 105:

NOTICE OF LOCAL BILL

Notice is hereby given that at the next regular session of the legislature of Alabama a local bill will be introduced for passage relating to an act to alter or rearrange the boundary lines of the City of Andalusia, Covington County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Covington County, Alabama, which local bill will be in substance as follows:

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section One: That the boundary lines of the City of Andalusia, Covington County, Alabama, be and the same are hereby altered or rearranged so as to include within the Corporate limits of said City all territory now within such corporate limits and also certain other territory in Covington County, Alabama; lying and being in Covington County, Alabama, is more particularly described as follows:

All platted or mapped lots in Lakeview Heights Sub-Division of Andalusia, Alabama, as recorded in the Office of the Judge of Probate of Covington County, Alabama, in Plat Book No. 2, Page 86, which said platted or mapped lots are not now within the Corporate Limits boundary line of said City of Andalusia, Alabama.

Section Two: This Act shall take effect on its passage and approval by the Governor or otherwise becoming a law.

17Feb4tch

PROOF OF PUBLICATION

STATE OF ALABAMA COVINGTON COUNTY

Personally appeared before me, the undersigned authority Ed Dannelly, Editor of The Andalusia Star-News who being duly sworn, says that the attached legal Notice of publication appeared in 4 successive issues of The Andalusia Star-News, a weekly newspaper published in said county, on the following dates: February 17, February 24, March 3 and March 10, 1955.

This the 2 day of May, 1955.

ED DANNELLY.

Sworn to and subscribed before me this 2 day of May, 1955.

LORA JONES,
Notary Public.

By Messrs. Davis, Gregory, McLendon, Stembridge, Cornett, Stokes, Burkhalter, Kelly, Boyd, Branyon, Dement and Edwards (Escambia):

H. 106. To amend further Act No. 669, H. 792, approved July 5, 1940, which is known as the "Alabama Motor Carrier Act of 1939" (1939 Acts 1064-1090).

Ways and Means.

By Messrs. Davis, Gregory, McLendon, Stembridge, Cornett, Stokes, Burkhalter, Kelly, Branyon, Dement and Edwards (Escambia):

H. 107. To amend Sections 697 and 703 of Title 51 of the Code of Alabama of 1940, which relate to truck and trailer licenses.

Ways and Means.

By Messrs. Davis, Gregory, Cornett, McLendon, Stembridge, Stokes, Burkhalter, Kelly, Branyon, Dement and Edwards (Escambia):

H. 108. To amend Section 2 of Act No. 664, H. 791, approved July 5, 1940 (1939 Acts 1051), which relates to the mileage taxes payable by motor carriers.

Ways and Means.

By Messrs. Davis, Gregory, Cornett, McLendon, Stembridge, Stokes, Burkhalter, Kelly, Branyon, Dement and Edwards (Escambia):

H. 109. To amend Section 83 of Title 36, Code of Alabama (1940), which relates to penalties for overloading motor vehicles.

Ways and Means.

By Messrs. Davis, Gregory, Cornett, Steagall, McLendon, Stembridge, Stokes, Burkhalter, Kelly, Branyon, Dement and Edwards (Escambia):

H. 110. To amend further Section 89 of Title 36, Code of Alabama (1940), which limits the size and weight of motor vehicles and loads.

Ways and Means.

By Messrs. Molette, Hardy, Hain, Meeks, Payne, Kendall, Locke (Perry), DeSear, Grouby, Brassell, Callahan, Albea, Kaul, Harrison, Steagall, Dickson, Brooks, Solomon, Mathison, Stokes, Summerlin and Richardson:

H. 111. Making an appropriation to the Board of Trustees of the Cahaba Historical Commission.

Ways and Means.

By Mr. Ferrell:

H. 112. Relating to the compensation of school teachers: To provide that classroom teachers shall be compensated for the two weeks prior to the opening of school and one week after the closing of the term, and shall perform certain duties and services during such periods.

Ways and Means.

By Mr. Branyon:

H. 113. To regulate further the payment of the compensation of clerks of courts of county commissioners, boards of revenue, or like county governing bodies.

Ways and Means.

By Mr. Branyon:

H. 114. To regulate further the compensation of county superintendents of education in all counties having a population of not less than 19,200 nor more than 20,000 inhabitants, according to the last or any subsequent federal decennial census.

Local Legislation No. 1.

By Mr. Gist:

H. 115. Relating to jurors and juries; providing that at least eighteen persons must be sworn on the grand jury, and that one of them must be appointed as foreman by the court, and that if the foreman is discharged or excused for any cause after the jury is sworn or charged, the court may appoint another in his place.

Judiciary.

By Messrs. Perry, Tyson, Brannan, Thomas, Vacca, Albea, Roberts, Goodwyn, Meeks, Haltom, Kaul, Adams, Hunt, Ferrell, Richardson, Nolen, Lee (Lawrence), Lee (Barbour), Cornett, Killough, Taylor, Dickson, Boyd, Stokes, Brown (Lee), Brassell, Pirkle, Branyon, Edwards (Jefferson), Lackey, Hare, Money, Steagall, Stembridge, Franklin, Harrison, Kendall, Solomon and Mathison:

H. 116. To define habitual criminals and to provide who shall be habitual criminals; to provide methods, manners and procedures for the finding, declaring and adjudging a person to be an habitual criminal, to prescribe what evidence may be used or employed in proceedings or trials in and about the declaring and adjudging a person to be an habitual criminal; to provide penalties and punishments for habitual criminals; to increase the penalties and punishments of persons found and adjudged to be habitual criminals over, above and in addition to penalties and punishments now or hereafter provided by law for persons convicted of offenses, crimes or felonies; to provide for, limit, change, increase or prevent parole or clemency for habitual criminals; to prescribe and provide for methods of proof for identification of defendants as one and the same person theretofore convicted either within or without the State; to provide for procedure by and before juries in trials where defendants are charged with being habitual criminals; to provide for sentencing persons convicted as habitual criminals.

Judiciary.

By Mr. Brown (Lamar):

H. 117. Proposing an amendment to the Constitution of Alabama relating to Lamar County, and ordering an election thereon.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Hawkins, Broadfoot, Simon, Murphy, Tyson, Dement, Kelly, Huddleston, Selman, Edwards (Escambia), Brassell, Shumate, Ferrell, Albea, Callahan, Bagley, Law and Harrison:

H. 118. To repeal Act No. 430, H. 222, approved August 28, 1953 (Acts of Alabama, 1953, p. 535), entitled "An Act To provide that the right of a person to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization, and to prohibit agreements or combinations requiring membership in a labor union or labor organization as a condition of employment or continuation of employment, and to provide for rights and remedies with reference thereto."

Judiciary.

By Messrs. Simon, Murphy and Tyson:

H. 119. To make an appropriation from the general fund in the state treasury for payment of the expenses incurred by the State in sponsoring the annual meeting of the Southern Governors' Conference, which is to be held at Point Clear October 17-20, 1955.

Ways and Means.

By Mr. Hare:

H. 120. To authorize and provide for the payment of the sum of \$613.80, out of any funds in the State Treasury to the credit of the State Forestry Fund, for the relief of Colbert R. Wright, to reimburse him for hospital, doctor and medical bills by reason of an accident occurring on August 30, 1949, while the said Colbert R. Wright was employed by the State of Alabama, Department of Conservation, and while he was acting in the line and scope of his employment.

Ways and Means.

By Messrs. Hare, Simon, Bradford, Murphy, Hodges and Tyson:

H. 121. Relating to civil remedies and procedure: To abrogate the common law rule that contributory negligence is a complete defense for the negligent act or omission of the defendant, and substitute therefor the comparative negligence rule.

Judiciary.

By Messrs. Goodwyn, Hall and Nolen:

H. 122. To amend Act No. 292, S. 292, approved July 9, 1945 (General Acts of Alabama, 1945, page 482) which provided for the examination, licensing and regulation of licensed practical nurses.

Ways and Means.

By Messrs. Goodwyn, Hall and Nolen:

H. 123. To amend further Act No. 96, H. 102, approved June 15, 1945, (General Acts of Alabama, 1945, page 92) which relates to schools of nursing and the examination, regulation and registration of nurses.

Ways and Means.

By Messrs. Goodwyn, Nolen and Dawkins:

H. 124. To provide that persons in the service of the government of the United States and their spouses, if living within the borders of the State of Alabama at the time of their death, shall be deemed to be residents and inhabitants of Alabama for purposes of general probate jurisdiction.

Judiciary.

By Messrs. Goodwyn, Nolen and Dawkins:

H. 125. To provide that persons in the service of the government of the United States of America, and their spouses, if living within the borders of the State of Alabama, shall be deemed to be residents of Alabama for the purpose of maintaining suits or actions in the Courts of Alabama; and to provide that the Act shall have retrospective as well as prospective effect.

Judiciary.

By Messrs. Goodwyn, Nolen, Dawkins, Kendall, McLendon and Haltom:

H. 126. To amend Title 41, Section 154, Code of Alabama 1940, as amended, which relates to travel expense for persons in State service.

Ways and Means.

By Messrs. Davis, Fite, Dawkins, Hawkins, Martin and Ramey:

H. 127. To amend Title 36, Section 61, 69, and 71, Code of Alabama 1940, as amended, which relate to funds of the Department of Public Safety.

Ways and Means.

By Messrs. Davis, Fite, Dawkins, Hawkins, Martin and Ramey:

H. 128. To amend Sections 6, 8 and 10 and to repeal Sections 11, 12, 13, 14, and 16 of Act No. 585 entitled "An Act To create a Department of Public Safety; to provide for the appointment by the Governor of the Director thereof; to provide for the salary of said Director, and that said salary may be fixed by the Governor; to authorize the creation of divisions within said department and the appointment under the provisions of the Merit System of the chiefs of said divisions and other employees; to prescribe the duties and powers of the Director of the Department of Public Safety, and to enumerate the laws which said director shall administer and enforce; to provide for the disposition of costs, fees and mileage of Highway Patrol officers when attending courts; to provide for the police powers possessed by members of the State Highway Patrol; to provide for the payment of the compensation of officers, agents and employees of the Department of Public Safety, and to provide for the payment of expenses for necessary equipment; to create a fund in the State Treasury to be known as the State Public Highway and Traffic Control Fund, and to prescribe the monies which shall be paid into said fund; to require that expenditures of the Department of Public Safety shall be limited to amounts appropriated by the Legislature out of the State Public Highway and Traffic Control Fund; to provide for the liability of members of the State Highway Patrol on their official bonds; to prescribe an arrest fee for Highway Patrol officers, and the payment of said fee into the State Public Highway and Traffic Control Fund; to provide that any unencumbered balance in the State Public Highway and Traffic Control Fund at the end of any two year drivers' licensing period shall be paid into the Public Road and Bridge Fund of the Highway Department; to require the State Comptroller to record the source of funds paid into the State Public Highway and Traffic Control Fund; to authorize the Department of Public Safety to promulgate rules and regulations having the force and effect of law and to provide for a penalty for the violation thereof; to transfer all monies or funds in the Highway Patrol Fund to the State Public Highway and Traffic Control Fund, and to authorize any appropriation heretofore made from said Highway Patrol Fund to be paid out of the said State Public Highway and Traffic Control Fund; and to provide for the effective date of this Act." approved September 11, 1953.

Ways and Means.

By Messrs. Davis, Fite, Dawkins, Hawkins, Martin and Ramey:

H. 129. To amend Title 51, Section 632, Code of Alabama 1940, as amended, which relates to distribution of tax on lubricating oil.

Ways and Means.

By Messrs. Dawkins and Hawkins:

H. 130. To provide that in addition to all other appropriations heretofore made there is hereby appropriated the additional sum of \$10,000.00 from any funds in the State Treasury not otherwise appropriated for the fiscal year ending September 30, 1955, to be expended for telephone service, stationery, stamps, and necessary office equipment for the office use of circuit solicitors, deputy circuit solicitors or assistants.

Ways and Means.

By Messrs: Locke (Perry) and DeSear (with notice and proof):

H. 131. Relating to Perry County, Alabama, prohibiting the installation or operation of coin operated parking meter devices in any city, town or other incorporated municipality located therein; unless the installation or operation thereof is first authorized by a majority vote of the qualified electors of such municipal corporation or town affected.

Local Legislation No. 1.

Notice and Proof H. 131:

LEGAL NOTICE

Notice is hereby given of the intention to apply for the passage of the following Act, at the next session of the Legislature of Alabama for 1955, which Act only applies to Perry County, Alabama:

A BILL TO BE ENTITLED AN ACT

Relating to Perry County, Alabama, prohibiting the installation or operation of coin operated parking meter devices in any city, town or other incorporated municipality located therein; unless the installation or operation thereof is first authorized by a majority vote of the qualified electors of such municipal corporation or town affected.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. No city or town council or other governing body of any city, town or other incorporated municipality located in Perry County, Alabama, shall have authority to install, or cause to be installed, or operated, any coin operated parking meter or any other similar coin operated device to regulate street parking in such city, town or other incorporated municipality; unless the installation or operation of such parking meters are first authorized by a majority vote of the qualified electors of the city, town or other incorporated municipality, at an election held and called by such city, town, or other incorporated municipality for that purpose.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 3-17-4tx.

TO WHOM IT MAY CONCERN:

I, J. M. Wallace, Editor of The Marion Times-Standard, a weekly newspaper of general circulation, published Thursday of each week in the City of Marion, Perry County, Alabama, do hereby certify that the attached notice was published in our issues of March 17, March 24, March 31 and April 7, 1955.

J. M. WALLACE,
Editor.

Sworn to and subscribed before me this 7 day of April, 1955.

L. M. RICHARDSON,
Notary Public, Perry Co.

By Mr. Hodges (with notice and proof):

H. 132. Relating to St. Clair County: To amend further Act No. 109, H. 322, approved February 20, 1937 (Local Acts of the Special Session of 1936-37, p. 59), which provides for the election of the county superin-

tendent of education, and fixes his compensation, powers, and duties, by increasing the compensation and expense allowance of such officer.

Local Legislation No. 1.

Notice and Proof H. 132:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

Relating to St. Clair County: To amend further Act No. 109, H. 322, approved February 20, 1937 (Local Acts of the Special Session of 1936-37, p. 59), which provides for the election of the county superintendent of education, and fixes his compensation, powers, and duties, by increasing the compensation and expense allowance of such officer.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 4 of Act No. 109, H. 322, approved February 20, 1937 (Local Acts of the Special Session of 1936-37, p. 59), as amended by an act approved October 9, 1947 (Local Acts, 1947, p. 395), is amended further and shall read as follows:

"The salary of the County Superintendent of Education shall be five thousand four hundred dollars (\$5,400.00) per annum, and he shall be allowed for traveling expenses a sum set by the County Board of Education, which shall not exceed one thousand two hundred dollars (\$1,200.00) per annum. Said salary and expenses shall be paid in the same way and manner as is provided by the general laws of the State of Alabama for the payment of county superintendents of education in the several counties of the State."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

N.A. April 7, 14, 21, 28, 1955.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edmund Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 7, 14, 21, 28, 1955.

EDMUND R. BLAIR.

Sworn to and subscribed before me May 6, 1955.

JERE L. RAY,
Notary Public
State at Large.

My commission expires 10-29-58.

By Mr. Harrison:

H. 133. To propose and provide for the submission of an amendment to the Constitution of Alabama prohibiting the Legislature from author-

izing the state highway department or other state agency, other than a county governing body, to assume responsibility for construction, repair or maintenance of all county roads or bridges within a county, but providing that the state highway department or other state agency may construct, repair or maintain county roads and bridges upon written agreement signed by a majority of the members of a county governing body; and preserving the power of the Legislature to authorize the highway director or other state agency to designate routes or roads within a county as a part of the state highway system; and to order an election upon said proposed amendment at the next general election next succeeding this session of the Legislature; and to provide for notice of such election together with the proposed amendment.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Adams and Johnson (Tallapoosa):

H. 134. To amend Act No. 762, S. 515, approved September 11, 1951, which provides for and authorizes the incorporation of gas districts (Acts of 1950-1951, Vol. II, page 1319).

Judiciary.

By Messrs. Johnson (Tallapoosa) and Adams:

H. 135. To provide a lifetime fishing and hunting license for all citizens of this State over the age of sixty-five years and to provide for an issuing fee for such licenses.

Ways and Means.

By Mr. Oakley:

H. 136. To propose an amendment to the Constitution of Alabama relative to the sessions of the Legislature and the compensation of legislators.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Oakley:

H. 137. Proposing an amendment to the Constitution of Alabama relative to representation in the Legislature of Alabama.

Constitutions and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Selman and Shumate:

H. 138. To provide for the meting out of punishment in criminal cases tried by a jury.

Judiciary.

By Messrs. Selman and Shumate:

H. 139. To repeal Act No. 101, H. 79, approved June 8, 1943, entitled "An Act to regulate the practice in equity cases in the matter of objection to and consideration of testimony and evidence."

Judiciary.

By Messrs. Selman and Shumate:

H. 140. To amend Chapter 9, Title 15 of the Code of Alabama (1940) relating to bail, as amended by Act No. 199 July 8, 1949, by defining the

power and authority and jurisdiction of the courts in proceedings on forfeitures of undertakings, or bail bonds, by the failure of the defendant to appear as required, in all counties in this State; and to authorize the courts in such counties to remit in whole or in part the penalty of such bail bonds as the ends of justice may appear to require.

Judiciary.

By Messrs. Selman and Shumate:

H. 141. To amend farther Section 263 of Title 26, Code of Alabama, 1940, as amended, which relates to the application of the Alabama Workmen's Compensation law to certain employments.

Ways and Means.

By Mr. Kelly (with notice and proof):

H. 142. To repeal an act entitled "An Act To Authorize the Sheriff of Winston County, Alabama, with the approval of the County Governing Body, to appoint three additional Deputies Sheriff whose salary not to exceed \$900.00 annually, and the duration of service may be fixed and determined by said County Governing Body; to designate the county residence and the areas of service of said deputies, and to prescribe their duties and to require them to give bond as provided by the General Laws of Alabama; to provide that the salaries of said Deputies shall be paid out of the General Fund of the County, which shall be reimbursed out of certain fines, forfeitures, costs and fees; to provide when this Act shall become inoperative and to fix the effective date hereof," approved July 23, 1947, (Local Acts of Alabama of 1947, pages 121 and 122).

Local Legislation No. 1.

Notice and Proof H. 142:

LEGAL NOTICE

Notice is hereby given that application will be made to the Legislature of Alabama, at its regular session held in 1955 for the passage of an Act in substance as follows:

A BILL TO BE ENTITLED AN ACT

To repeal an act entitled "An Act to Authorize the Sheriff of Winston County, Alabama, with the approval of the County Governing Body, to appoint three additional Deputies Sheriff whose salary not to exceed \$900.00 annually, and the duration of service may be fixed and determined by said County Governing Body; to designate the county residence and the areas of service of said deputies, and to prescribe their duties and to require them to give bond as provided by the General Laws of Alabama; to provide that the salaries of said Deputies shall be paid out of the General Fund of the County, which shall be reimbursed out of certain fines, forfeitures, costs and fees; to provide when this Act shall become inoperative, and to fix the effective date hereof," approved July 23, 1947, (Local Acts of Alabama of 1947, pages 121 and 122).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That an act entitled "An Act to Authorize the Sheriff of Winston County, Alabama, with the approval of the County Governing Body, to appoint three additional Deputies Sheriff whose salary, not to exceed \$900.00 annually, and the duration of service may be fixed and determined by said County Governing Body; to designate the county residence and the areas of service of said deputies and to prescribe their duties and to require them to give bond as provided by the General Laws of Alabama; to provide that the salaries of said Deputies shall be paid out of the General Fund of the Coun-

ty, which shall be reimbursed out of certain fines, forfeitures, costs and fees; to provide when this Act shall become inoperative, and to fix the effective date hereof," approved July 23, 1947, (Local Acts of Alabama of 1947, pages 121 and 122), be and the same is hereby repealed.

Section 2. This act shall become effective on the first day of the month following its approval by the Governor or its otherwise becoming a law.

State of Alabama, Winston County

Personally appeared the undersigned, who being duly sworn, says he is the publisher of the Winston County Times, a newspaper published weekly in Haleyville, in said County, and that the notice hereto attached was printed in said newspaper for four weeks on to-wit: March 31, April 7, 14 and 21, 1955.

J. W. AYRES.

Sworn to and subscribed before me this May 2, 1955.

GRADY N. MARTIN,
Notary Public.

By Mr. Kelly (with notice and proof):

H. 143. To amend section 1 of "An Act to allow the Sheriff of Winston County an additional deputy sheriff to that now provided by law, and fix his salary and make it payable out of the general funds of the County in monthly installments, said deputy to be located at Haleyville, Alabama," approved July 21, 1927, (Local Acts of Alabama of 1927, page 69) as amended by Act No. 169 of the Legislature of Alabama of 1951, approved June 29, 1951 (Acts of Alabama, 1951, page 405).

Local Legislation No. 1.

Notice and Proof H. 143:

LEGAL NOTICE

Notice is hereby given that application will be made to the Legislature of Alabama, at the present special session, or at the regular session beginning in May, 1955, for the passage of an act substantially as follows:

A BILL TO BE ENTITLED AN ACT

To amend section 1 of "An Act to allow the Sheriff of Winston County an additional deputy sheriff to that now provided by law, and fix his salary and make it payable out of the general funds of the County in monthly installments, said deputy to be located at Haleyville, Alabama," approved July 21, 1927, (Local Acts of Alabama of 1927, page 69) as amended by Act No. 169 of the Legislature of Alabama of 1951, approved June 29, 1951 (Acts of Alabama, 1951, page 405).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That section 1 of "An Act to allow the Sheriff of Winston County an additional deputy sheriff to that as now provided by law, and fix his salary and make it payable out of the general funds of the county in monthly installments, said deputy to be located at Haleyville, Alabama," approved July 21, 1927, (Local Acts of Alabama of 1927, page 69) as amended by Act No. 169 of the Legislature of Alabama of 1951, approved June 29, 1951 (Acts of Alabama, 1951, page 405) be and the same is amended to read as follows: "Section 1.—That the sheriff of Winston County is hereby allowed an additional deputy to the one now provided

by law which said deputy shall be located in Haleyville, and shall receive an annual salary of twenty-four hundred dollars (\$2400.00), plus an additional twelve hundred dollars (\$1,200.00) per annum for expenses, all to be paid in twelve equal monthly installments out of the general funds of said Winston County, and such deputy shall be eligible to perform duties anywhere in said county."

Section 2. This act shall take effect upon its approval by the Governor or upon its otherwise becoming a law.

State of Alabama, Winston County

Personally appeared the undersigned, who being duly sworn, says he is Publisher of the Winston County Times, a newspaper printed weekly in Haleyville, in said county, and that the notice hereto attached was printed for four consecutive weeks in said newspaper to-wit: March 10, 17, 24 and 31, 1955.

J. W. AYRES.

Sworn to and subscribed before me this May 2, 1955.

BRADY N. MARTIN,
Notary Public.

RESOLUTION

The following resolution was introduced:

By Mr. Dawkins:

H.J.R. 7. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, May 10, 1955.

On motion of Mr. Dawkins the rules were suspended and H.J.R. 7 was adopted.

NOTICE IN WRITING

Mr. Oden offered the following Notice in Writing:

Pursuant to House Rule 5, one day's written notice is hereby given that on the next Legislative day a motion will be made to amend House Rule 40 by adding at the end of said Rule the following: "(16) Military Affairs."

NOTICE IN WRITING BY MR. ODEN

Received, read and ordered filed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:

By Mr. Dyar:

S.J.R. 3. Whereas Alabama is predominately an agricultural state and the prosperity and welfare of the farmers is fundamental to the welfare of the whole State, and

Whereas under the laws of the United States, the Secretary of Agriculture is authorized to use his discretion in setting quotas for agricultural products and determining what percentage of parity the various agricultural products shall have, and

Whereas under this system the percent of parity allowed producers of many agricultural products has been greatly reduced to the detriment of Alabama farmers, and

Whereas several acts are now pending in the United States Congress which will provide price supports for many agricultural products of 90% or more of parity, Now Therefore,

Be It Resolved by the Senate of Alabama, the House of Representatives Concurring:

That the Congress of the United States is hereby memorialized to enact legislation which will guarantee price support for basic agricultural products of at least 90% of parity.

Be it further resolved that each member of the Alabama delegation in Congress be commended for his support of legislation to provide a sound and fair program for promoting and developing agriculture throughout the nation, and especially for his efforts to guarantee price supports to farmers.

Be it further resolved that a copy of this resolution be sent by the Secretary of the Senate to the clerk of each House of the United States Congress and a copy hereof be sent to each member of the delegation in Congress from Alabama.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Gist the rules were suspended and the House concurred in and adopted the S.J.R. 3 set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Messrs. Gist, Callahan and Speaks:

H.J.R. 8. A Joint Resolution requesting the Governor of Alabama to proclaim the week beginning July 24, 1955, as State Farm Safety Week.

Whereas accidents kill more than 14,000, and injure more than one million farm residents each year; and

Whereas human failure is associated with nearly all of these deaths and disabling injuries; and

Whereas the occupational death rate of the nearly seven million farm workers in the United States is the third highest among the rates reported for all types of industry in this country; and

Whereas every farm worker can aid in reducing the toll of death and injuries by constantly bearing in mind the slogan, "Your safety is in your hands," and

Whereas President Dwight Eisenhower has proclaimed the week beginning July 24, 1955, as National Farm Safety Week:

Be it resolved by the House of Representatives, the Senate concurring, that the Governor of Alabama is respectfully requested to proclaim the week beginning July 24, 1955, as State Farm Safety Week, to coincide with National Farm Safety Week, and urge the people of

Alabama to observe this week by cultivating careful work habits and attitudes in the home, on the farm, and elsewhere.

On motion of Mr. Gist the rules were suspended and H.J.R. 8 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 6. Relative to extending deepest sympathy to the family of Judge Robert Bryan Carr.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 7. Relative to adjournment of the two Houses until Tuesday, May 10, 1955.

J. E. SPEIGHT,
Secretary.

ADJOURNMENT

On motion of Mr. Martin the House adjourned until Tuesday, May 10, 1955, at eleven o'clock A. M.

THIRD DAY

House of Representatives
Montgomery, Alabama
Tuesday, May 10, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Major George A. Nicholl, Salvation Army, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Broadfoot	deGraffenried	Goodwyn
Adams	Brooks	Dement	Gregory
Albea	Brown (Lamar)	DeSear	Grouby
Ashworth	Brown (Lee)	Dickson	Hain
Bagley	Burkhalter	Edwards (Escambia)	Hall
Bassett	Callahan	Edwards (Jefferson)	Haltom
Boyd	Cornett	Faulk	Hanby
Bradford	Cox	Ferrell	Hardy
Brannan	Crook	Franklin	Hare
Branyon	Davis	Gilchrist	Harrison
Brassell	Dawkins	Gist	Harvey
Brewer			

Hawkins	Lee (Barbour)	Murphy	Shumate
Hodges	Lee (Lawrence)	Nettles	Simon
Holliman	Locke (Choctaw)	Nice	Solomon
Huddleston	Locke (Perry)	Nolen	Speaks
Hunt	Love	Oakley	Steagall
Jenkins	McClendon	Oden	Stembridge
Johnson (Elmore)	McKay	Payne	Stokes
Johnson (Tallapoosa)	McLendon	Perry	Summerlin
Kaul	McNider	Pirkle	Taylor
Kelly	Martin	Pruitt	Thomas
Kendall	Mathews	Ramey	Tyson
Killough	Mathison	Reynolds	Vacca
Kirkham	Meeks	Richardson	Ward
Lackey	Molette	Roberts	Windle
Law	Money	Selman	Wood

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the second legislative day and finds the same to be correct.

RANKIN FITE
Chairman.

On motion of Mr. Dawkins, the reading at length of the Journal of the House for the second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the second legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H.J.R. 6. Relative to extending sympathy to the family of the late Justice Robert Bryan Carr.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution your signature thereto is requested:

S.J.R. 3. Memorializing Congress to enact legislation which will guarantee price supports for basic agricultural products of 90% of parity.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 8. A joint resolution requesting the Governor of Alabama to proclaim the week beginning July 24, 1955, as State Farm Safety Week.

J. E. SPEIGHT,
Secretary.

MOTION IN WRITING

Mr. Oden offered the following Motion in Writing:

Pursuant to written notice given on the last Legislative day, I hereby move that House Rule 40 be amended by adding at the end of said rule the following: "(16) Military Affairs".

On motion of Mr. Oden consideration of the above and foregoing Motion in Writing was postponed until Friday, May 13, 1955.

BILLS ON SECOND READING

Mr. Wood, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 98 (with substitute). To amend Section 38, Title 8, of the Alabama Code of 1940, relating to licenses for fishing on waters of this State.

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 65. Relating to Marion County: Regulating the solicitation of membership in certain organizations from among the citizens of Marion County; providing for the issuance of permits and payment of fees for the solicitation of membership in such organizations; and prescribing penalties for violations of this Act.

H. 105. To alter or rearrange the boundary lines of the City of Andalusia, Covington County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Covington County, Alabama.

H. 114. To regulate further the compensation of county superintendents of education in all counties having a population of not less than 19,200 nor more than 20,000 inhabitants, according to the last or any subsequent federal decennial census.

H. 117. Proposing an amendment to the Constitution of Alabama relating to Lamar County, and ordering an election thereon.

The above bill was read a second time at length as required by the Constitution.

H. 131. Relating to Perry County, Alabama, prohibiting the installation or operation of coin operated parking meter devices in any city, town or other incorporated municipality located therein; unless the installation or operation thereof is first authorized by a majority vote of the qualified electors of such municipal corporation or town affected.

H. 132. Relating to St. Clair County: To amend further Act No. 109, H. 322, approved February 20, 1937 (Local Acts of the Special Session of 1936-37, p. 59), which provides for the election of the county superintendent of education, and fixes his compensation, powers, and duties, by increasing the compensation and expense allowance of such officer.

H. 142. To repeal an act entitled "An Act To Authorize the Sheriff of Winston County, Alabama, with the approval of the County Governing Body, to appoint three additional Deputies Sheriff whose salary not to exceed \$900.00 annually, and the duration of service may be fixed and determined by said County Governing Body; to designate the county residence and the areas of service of said deputies, and to prescribe their duties and to require them to give bond as provided by the General Laws of Alabama; to provide that the salaries of said Deputies shall be paid out of the General Fund of the County, which shall be reimbursed out of certain fines, forfeiture, costs and fees; to provide when this Act shall become inoperative and to fix the effective date hereof," approved July 23, 1947, (Local Acts of Alabama of 1947, pages 121 and 122).

H. 143. To amend section 1 of "An Act to allow the Sheriff of Winston County an additional deputy sheriff to that now provided by law, and fix his salary and make it payable out of the general funds of the County in monthly installments, said deputy to be located at Haleyville, Alabama," approved July 21, 1927, (Local Acts of Alabama of 1927, page 69) as amended by Act No. 169 of the Legislature of Alabama of 1951, approved June 29, 1951 (Acts of Alabama, 1951, page 405).

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Brannan:

H. 144. To amend further Section 46 of Title 61 of the 1940 Code of Alabama, which relates to the probate and record in the courts of the State of Alabama of wills previously admitted to probate and record established in courts of other states, territories, districts and countries subject to the jurisdiction of the United States of America, and of foreign countries not subject to the jurisdiction of the United States of America.

Judiciary.

By Mr. Hawkins:

H. 145. To further provide for the public interest by granting to Housing Authorities and Municipalities certain additional power and

authority and to undertake additional activities for the elimination and for the prevention of the development or spread of slums and blight, including functions with respect to rehabilitation and conservation for the restoration and removal of blighted, deteriorated, or deteriorating areas; to provide that all the rights, powers, privileges, and immunities of public or private bodies or agencies applicable with respect to redevelopment projects shall be applicable with respect to such additional activities; to authorize the governing body of the municipality or such public officer or public body as it may designate, to prepare a workable program for utilizing appropriate private and public resources to eliminate and prevent the development or spread of slums and urban blight in the community; and to authorize housing authorities to acquire and dispose of undeveloped vacant land where certain conditions of blight exist or where such action is essential to the clearance, redevelopment, rehabilitation or conservation of slum or blighted areas or to a general slum clearance or urban renewal program of the community.

Judiciary.

By Mr. Hawkins:

H. 146. To amend Sec. 1. of Act 614, General Assembly Acts of 1939, approved July 10, 1940 (Chapter 7, Title 25, Code of Alabama 1940).

Judiciary.

By Mr. Hawkins:

H. 147. To validate and declare legal the creation and establishment of housing authorities, all bonds, notes, contracts, agreements, obligations and undertakings of said housing authorities, and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto, and to declare said housing authorities bodies corporate and politic.

Judiciary.

By Messrs. Vacca, Gist, Money, Dement, Hanby, Wood, Huddleston, Oden, Lee (Lawrence), Brown (Lamar), Edwards (Jefferson) Perry and Nice:

H. 148. To amend Section 45 of an Act approved August 30, 1949, (Act No. 516, H. 769, Acts of Alabama, 1949, p. 740) entitled "An Act to regulate further the use of the highways of the State by pedestrians and vehicles; prescribing equipment of certain vehicles and further prescribing rules and regulations governing traffic and the operation of vehicles on the highways; providing for the method of enforcing this Act; and prescribing penalties for violations hereof."

Judiciary.

By Messrs. Vacca, Money, Dement, Hanby, Wood, Oden and Nice:

H. 149. Relating to motor vehicles: To require the owner of any truck operated on the highways of this State to have painted on the truck, or firmly affixed thereto, his name and address and some word or phrase indicating the business in which the truck is used; authorizing the Director of Public Safety to promulgate rules and regulations relative to such marking, and prescribing a penalty for the operation of a truck in violation of this Act.

Judiciary.

By Messrs. Vacca, Gist, Money, Dement, McKay, Hanby, Wood, Huddleston, Oden, Lee (Lawrence), Brown (Lamar), Edwards (Jefferson), Perry and Nice:

H. 150. Requiring mud guards or safety flaps on motor trucks, road tractors, trailers or semi-trailers having four or more tires on the rear

axle thereof and providing a penalty for the operation of such vehicles without this equipment.

Judiciary.

By Messrs. Vacca, Money, Dement, McKay, Payne, Franklin, Wood, Edwards (Jefferson), Harrison, Martin, Perry, Nice, Meeks, Lackey, and Hawkins:

H. 151. To amend further Section 184, Title 39, Code 1940, which relates to Sundays and legal holidays.

Judiciary.

By Messrs. Vacca and Nice:

H. 152. To make it unlawful to block public highways or streets by trains in excess of thirty-two hundred feet in overall length.

Judiciary.

By Messrs. Vacca and Nice:

H. 153. To amend Section 186, Article 2, Chapter 40 of Title 14 of the Code of Alabama of 1940 (Act No. 784, S. 435 approved September 11, 1951, Acts of Alabama, 1950-1951; page 1378-1383) which relates to pistols, the condemnation and forfeiture to State of same; the sale of such pistol, or pistols, after condemnation and forfeiture; and the restriction of the sale of said pistol, or pistols, after condemnation and forfeiture to licensed dealers.

Judiciary.

By Messrs. Vacca, Dement, Wood, Huddleston, Harrison, Perry, Nice, Meeks, Lackey, Hawkins, Selman, Davis and Shumate:

H. 154. Relating to motor vehicles; requiring inspection of motor vehicles to determine whether they may be safely operated upon the highways, fixing the fee therefor, and prohibiting the operation of unsafe vehicles thereon; directing the Department of Public Safety to administer and enforce the provisions of this Act; and prescribing penalties for violation of this Act.

Judiciary.

By Messrs. Lackey, Meeks, Kaul, Perry, Edwards (Jefferson), Nice and Vacca:

H. 155. To declare the necessity for the construction of modern tunnel vehicular facilities in certain congested areas of the state in order to relieve hazardous, unsafe and crowded traffic conditions and to facilitate vehicular traffic, and to authorize the incorporation and organization in each county in this state having a population of 400,000 or more, according to the last or any succeeding federal census, of one or more tunnel authorities as public corporations for the purpose of acquiring, constructing, owning, operating, extending and improving tunnel vehicular facilities in the county in which such authority shall be organized; to provide for the approval, execution, filing and recording of the certificate of incorporation of each such authority; to provide for the composition of the board of directors of each such authority to exercise its powers and direct its affairs; to grant to each such authority certain powers, including the power of eminent domain with respect to any property deemed by it to be reasonably necessary for such tunnel facilities, including property already devoted to public use; to provide for and define the powers of each such authority with respect to new and existing public roads and access roads; to provide for and authorize the grant to each such authority of certain rights and powers with respect to public roads by the state, the highway department, certain counties and municipalities and other political subdivisions of the state; to grant to each such authority certain powers of entry for the purpose of making surveys; to authorize each such authority to require the relo-

cation or removal of public utility facilities in certain instances; to authorize each such authority to fix, collect and alter tolls and other charges for the use of any tunnel project owned by it; to exempt each such authority from regulation and supervision by the Public Service Commission and all other regulatory bodies or agencies of the state or any political subdivision thereof; to authorize each such authority to make rules and regulations for the use of each tunnel project owned by it and to provide for the punishment of violations of such rules and regulations; to provide that to the extent that such rules and regulations are inconsistent with laws, ordinances or regulations of the state, the state highway department or any local government unit, such rules and regulations of such authority shall be controlling; to authorize the borrowing of money by each such authority and in evidence thereof the issuance of its revenue bonds payable solely from tolls and other revenues and the proceeds derived from said bonds; to provide that such bonds shall not constitute a debt, obligation or liability of the state, any county, municipality or other political subdivision of the state other than the issuing authority; to require public sale of such bonds; to provide that all such bonds shall constitute negotiable instruments and shall be eligible for the investment of trust funds; to authorize each such authority to refund the principal of and the interest on any of its bonds by issuance of its refunding revenue bonds; to provide for the manner of disposition of proceeds from the sale of bonds issued by each such authority; to authorize each such authority to execute trust indentures and to make certain covenants and agreements as security for any such bonds; to provide that any pledge of tolls and other revenues for the benefit of such bonds shall be valid against all parties having claims of any kind against the authority making such pledge from and after the time a statement of such pledge is filed for record in the office of the judge of probate of the county in which the authority making such pledge is organized; to specify certain rights and remedies available to the holders of any such bonds; to exempt from all taxation in this state all property and income of each such authority and all bonds of each such authority and the income therefrom; to prescribe the conditions under which tunnel projects acquired and constructed by any such authority may be turned over to the state highway department free of tolls and the conditions under which any such authority shall be dissolved; to prohibit free use of any tunnel project except under certain conditions; to authorize the state, the highway department, certain counties, municipalities and other agencies and political subdivisions of the state to grant, convey, lease and lend real property to any such authority; to prohibit the state, the highway department, certain authorities, counties and incorporated municipalities, and any other political subdivisions of the state from constructing a competing facility to any tunnel project constructed under the provisions of this act, except under certain conditions; to authorize certain counties, municipalities, and the highway department to expend moneys and services for the study of any tunnel project and to provide for reimbursement thereof out of the proceeds of bonds issued by the authority constructing such project; and to provide that the exercise of the powers granted in this act to each such authority constitute the performance of an essential governmental function.

Local Legislation No. 2.

By Mr. Brown (Lamar):

H. 156. To provide for the regulation of electric membership corporations and electric cooperatives by the Alabama Public Service Commission; providing for the administration of the Act and for penalties for its violation.

Judiciary.

By Mr. Lee (Lawrence) (with notice and proof):

H. 157. Relating to Lawrence County; to authorize the Board of Revenue to compensate certain employees of the county who were injured while engaged in the performance of their duties as such county employees.

Local Legislation No. 1.

Notice and Proof H. 157:

**STATE OF ALABAMA
COUNTY OF LAWRENCE**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Lawrence County; to authorize the Board of Revenue to compensate certain employees of the county who were injured while engaged in the performance of their duties as such county employees.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue of Lawrence County is hereby authorized to appropriate and pay out of the gasoline tax fund of the county the sum of six hundred and eighty-one dollars (\$681.00) and the sum of four hundred dollars (\$400.00) to compensate Sim Jenkins and William Parker, respectively, for injuries received and damages sustained by respectively, as a result of accidents which occurred while they were engaged in the performance of their duties on county road projects and while they were acting within the line of their authority as employees of Lawrence County.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 14-4

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF LAWRENCE**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 7, April 14, April 21, and April 28, all in the year 1955.

JEANETTE LANG McKELVEY,

Sworn to and subscribed before me May 5, 1955.

ARTHUR F. SLATON,
Owner.

By Mr. Fite:

H. 158. To provide for the payment of the necessary traveling expenses of the Governor, Lieutenant Governor, Attorney General, Auditor, Secretary of State, Treasurer, Superintendent of Education, Commissioner of Agriculture and Industries, Three Public Service Commissioners, Chief Justice and Associate Justices of the Supreme Court, and the Three Judges of the Court of Appeals, when traveling in the service of the State of Alabama whether in or out of the State.

Ways and Means.

By Messrs. Hare, Vacca, Simon, Tyson, Locke (Choctaw), McNider, Nice and Stokes:

H. 159. To amend Section 9 of Title 30, Code of Alabama (1940), which relates to the membership of jury commissions.

Judiciary.

By Messrs. Dawkins, Hall, Goodwyn and Nolen:

H. 160. To amend Section 566, Title 51, Code of Alabama 1940.

Ways and Means.

By Messrs. Jenkins, Gregory, Money, Lee (Lawrence), Reynolds, Hunt, Oden, Thomas and Cox:

H. 161. Relating to insurance; requiring that the provisions relative to exclusions, exceptions, or other conditions under which insurance is not afforded under the contract be printed in certain prescribed type and ink on certain types of insurance policies to contrast with other provisions of such policies.

Judiciary.

By Mr. Hodges (with notice and proof):

H. 162. Relating to a reorganization of the government of St. Clair County; abolishing the Court of County Commissioners of St. Clair County and creating in lieu thereof the Board of Revenue of St. Clair County; providing for the election of the members of the Board, and prescribing their qualifications, terms, and compensation; and providing for the organization, powers, jurisdiction, and duties of the Board, and the authority and duties of its individual members.

Local Legislation No. 1.

Notice and Proof H. 162:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

Relating to a reorganization of the government of St. Clair County; abolishing the Court of County Commissioners of St. Clair County and creating in lieu thereof the Board of Revenue of St. Clair County; providing for the election of the members of the Board, and prescribing their qualifications, terms, and compensation; and providing for the organization, powers, jurisdiction, and duties of the Board, and the authority and duties of its individual members.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Court of County Commissioners of St. Clair County is abolished, and there is created in lieu thereof the Board of Revenue of St. Clair County, to be composed of a chairman and four associate members.

Section 2. Upon the taking effect of this Act, the judge of probate of St. Clair County shall cease to be a member and principal judge of the county governing body. However, the county commissioners presently in office shall serve as associate members of the Board of Revenue for the expiration of the terms for which they were elected and until their successors are elected and qualified as provided in this Act.

Section 3. Immediately upon the effective date of this Act, the Governor shall appoint a person who is a qualified elector and legal resident of St. Clair County to serve as chairman of the Board of Revenue until the first Monday after the second Tuesday in January, 1959, and until his successor is elected and qualified. A chairman of the Board shall be elected at the general election to be held in 1958, and every

four years thereafter. The chairman shall be elected from the county at large by the qualified electors of the entire county. A candidate for chairman of the Board must be a qualified elector and legal resident of St. Clair County. Successors to the county commissioners presently in office shall be chosen by the qualified electors of the four commissioners' districts into which the county is now divided, each district being entitled to elect one associate member of the Board. A candidate for associate member of the Board must be a resident and qualified elector of the district he seeks to represent, and shall continue to reside therein during his continuance in office. All members of the Board, including the chairman, shall hold office for terms of four years from the first Monday after the second Tuesday in January next succeeding their election, and until their successors are elected and qualified. In the event of a vacancy on the Board, the vacancy shall be filled by appointment by the Governor for the next unexpired term.

Section 4. Except as otherwise provided herein, the Board of Revenue shall have all the jurisdiction and powers which are, or which hereafter may be, vested in courts of county commissioners or other like county governing bodies by the general laws of the State, or vested in the governing body of St. Clair County by local law; and the members of the Board shall perform all the duties and services and exercise all the powers which are, or which hereafter may be, provided by law for members of courts of county commissioners or other like county governing bodies, or for members of the Board of Revenue of St. Clair County. The members of the Board shall devote as much time to the performance of their duties as may be necessary in transacting the county's business and handling its affairs. The Board may appoint a county engineer, a chief clerk to the Board, and as many assistant clerks as are reasonably necessary for the convenient and orderly transaction of its business, and may fix their salaries and terms of employment.

Section 5. The Board shall hold regular meetings on the second Monday of each month and may hold special meetings upon the call of the chairman or two associate members of the Board. A majority of the members of the Board shall constitute a quorum for the transaction of business. The Board shall keep complete and accurate written minutes of all meetings, business transacted, and resolutions; and there shall be recorded therein the vote of each member. At each meeting the minutes of the previous meeting shall be read and all minutes shall be open to public inspection at reasonable times.

Section 6. The chairman of the Board shall be its presiding officer, and shall have the same powers and authority as other members in passing upon all questions, and shall sign the minutes of the proceedings of the Board, and shall sign all warrants drawn on the county treasury unless in the event of his disability some other member of the Board shall be designated by an appropriate resolution of the Board so to do, and it shall be his duty to receive and prepare business and obtain information for the sessions of the Board, and to see to the execution of all orders thereof. He shall exercise all the powers and perform all the duties required of the judge of probate as to matters coming before the court of county commissioners.

Section 7. The chairman of the Board shall receive an annual salary of forty-two hundred dollars (\$4,200.00), the associate members of the Board shall be compensated at the rate of ten dollars (\$10.00) per day for each day required in attending regular or special meetings of the Board and in performing other official duties of the Board of Revenue, with a maximum of one hundred and fifty dollars (\$150.00) allowed in any one month and shall be reimbursed six cents per mile for travel in the performance of required official duties, for a maximum of

five hundred (500) miles per month. Above compensation of the chairman and associate members of the Board shall be paid in twelve equal monthly installments from any funds in the county treasury available for that purpose, as provided by law, and shall be their entire compensation for the services required of them by this Act.

Section 8. Before entering upon the discharge of their duties, the chairman and associate members of the Board shall each execute a bond, in the sum of five thousand dollars (\$5,000.00) in the case of the chairman, and in the sum of three thousand dollars (\$3,000.00) in the case of the associate members. The bonds shall be payable to St. Clair County, with good and sufficient surety, to be approved by the Circuit clerk and filed in his office, and shall be conditioned upon the faithful discharge of their duties of office. The bonds shall be filed and recorded in the office of the judge of probate of St. Clair County, and the premiums thereon shall be paid by the county.

Section 9. All laws or parts of laws which conflict with this Act are repealed.

Section 10. the provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

N.A. April 7, 14, 21, 28, 1955

STATE OF ALABAMA
ST. CLAIR COUNTY

On this 5 day of May 1955, personally appeared before me Louise G. Hullett, Notary Public, in and for the County and State aforesaid, E. R. Blair, who being duly sworn according to Law, declares that he is Publisher of the "St. Clair News-Aegis, a newspaper published in the city of Pell City, in the County of St. Clair, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in the "St. Clair News-Aegis" on the following dates: 4/7, 14-21-28, 1955.

E. R. BLAIR.

Subscribed and sworn to before me, this 5 day of May, A. D., 1955.

LOUISE G. HULLETT,
Notary Public.

By Mr. Hodges:

H. 163. To amend Section 273 of Title 7 of the Code of Alabama of 1940, relating to charges moved for by the parties.

Judiciary.

By Mr. Harrison:

H. 164. To provide for the appointment of volunteer forest fire wardens by the Director of the Department of Conservation; to set forth the duties of such wardens and to further provide for the issuance of equipment to them and the compensation to be received by such wardens.

Conservation.

By Messrs. McKay and Payne (with notice and proof):

H. 165. Relating to Talladega County; to authorize the county governing body to appropriate county funds, within prescribed limits, for the payments of certain obligations of the county.

Local Legislation No. 1.

Notice and Proof H. 165:

A BILL
TO BE ENTITLED
AN ACT

State of Alabama
County of Talladega.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Talladega County; to authorize the county governing body to appropriate county funds, within prescribed limits, for the payments of certain obligations of the county.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners, board of revenue, or other governing body of Talladega County may by unanimous vote of the members thereof appropriate from the county treasury a sum not in excess of two hundred dollars (\$200) for the payment of any claim against the county which the governing body deems a just and righteous claim, the payment of which is a moral, though legally unenforceable obligation of the county, and for which the claimant has no recourse to the State Board of Adjustment. Not more than one thousand dollars (\$1,000) shall be appropriated for the payment of such claims during any one fiscal year.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

(March 3-10-17-24)

THE STATE OF ALABAMA,
TALLADEGA COUNTY.

Personally appeared before me, a Notary Public in and for said County, Cecil Hornady, who being duly sworn according to law, deposes and says that he is the Editor and Publisher of the Talladega News, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consecutively, to-wit, in the issues hereof dated as follows: March 3, 1955, March 10, 1955, March 17, 1955, March 24, 1955.

CECIL HORNADY,
Editor and Publisher.

Subscribed and sworn to before me this 2 day of May, 1955.

SUE S. SUMMERLIN,
Notary Public.

By Messrs. Callahan, Ramey and deGraffenried:

H. 166. To create and establish a State Fire College, to provide for an Advisory Committee, an annual training session, and appropriations for carrying out the provisions of the Act.

Ways and Means.

By Messrs. Callahan and deGraffenried:

H. 167. To amend Section 369 of Title 15 of the 1940 Code, which relates to appeals in habeas corpus cases.

Judiciary.

By Mr. Callahan:

H. 168. To amend Section 403 of Title 15, Code of Alabama (1940).

Local Legislation No. 1.

By Messrs. Selman and Shumate:

H. 169. Proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Walker County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Shumate and Selman:

H. 170. To make it a misdemeanor for any person, firm, or corporation to slaughter or butcher for market any mule, horse, or other equine animal.

Health.

By Messrs. Hawkins, Kelly, Ferrell, Oden, Selman, Shumate, Dement, Cox, Brassell, Edwards (Escambia), Love, Wood and Fite:

H. 171. To provide further for the administration of public assistance: creating the Alabama Department of Pensions and Security; prescribing its jurisdiction, functions, powers, duties, and responsibilities; providing for a State Board of Pensions and Security and for the appointment of a Commissioner of Pensions and Security as chief executive and administrative officer, and other employees; authorizing the allocation of federal and state funds in a manner to provide equitable treatment of needy individuals in similar circumstances; providing for county departments of pensions and security and prescribing their jurisdiction, functions, powers and duties; transferring to the Alabama Department of Pensions and Security the functions, jurisdiction, funds, and effects of the State Department of Public Welfare.

Public Welfare.

By Messrs. Stokes, Hawkins, Brassell and Edwards (Escambia):

H. 172. To amend Sections 47 (5) and (8), Title 28, Code of Alabama 1940, as amended by Act. No. 234, General Acts, 1951, Page 505.

Ways and Means.

BILLS ON THIRD READING

H. 3. To extend, alter and rearrange the boundary lines and corporate limits of the City of Eufaula, in Barbour County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker
Adams

Albea
Ashworth

Bassett
Boyd

Bradford
Brannan

Branyon	Gist	Lackey	Oden
Brasseil	Goodwyn	Lee (Barbour)	Payne
Brewer	Gregory	Lee (Lawrence)	Perry
Broadfoot	Grouby	Locke (Choctaw)	Pirkle
Brooks	Hain	Locke (Perry)	Ramey
Brown (Lamar)	Hall	Love	Richardson
Brown (Lee)	Haltom	McClendon	Roberts
Burkhalter	Hanby	McKay	Selman
Callahan	Hardy	McLendon	Shumate
Cornett	Hare	McNider	Simon
Crook	Harrison	Martin	Solomon
Davis	Harvey	Mathews	Speaks
deGraffenried	Hawkins	Mathison	Steagall
Dement	Hodges	Meeks	Stembridge
DeSear	Huddleston	Molette	Stokes
Edwards (Escambia)	Hunt	Money	Thomas
Edwards (Jefferson)	Jenkins	Murphy	Tyson
Faulk	Johnson (Elmore)	Nettles	Vacca
Ferrell	Johnson (Tallapoosa)	Nolen	Windle
Franklin	Kelly	Oakley	Wood
Gilchrist	Kirkham		

—90

And the bill:

H. 6. To alter or re-arrange the boundary lines of the Town of Centre, Cherokee County, Alabama, so as to include within the Corporate limits of said Town all territory now within such corporate limits and also certain other territory in Cherokee County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Nolen
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Albea	Faulk	Kelly	Oden
Ashworth	Ferrell	Kirkham	Payne
Bassett	Franklin	Lackey	Perry
Boyd	Gilchrist	Lee (Barbour)	Pirkle
Bradford	Gist	Lee (Lawrence)	Ramey
Brannan	Goodwyn	Locke (Choctaw)	Richardson
Branyon	Gregory	Locke (Perry)	Roberts
Brasseil	Grouby	Love	Selman
Brewer	Hain	McClendon	Shumate
Broadfoot	Hall	McKay	Simon
Brooks	Haltom	McLendon	Solomon
Brown (Lamar)	Hanby	McNider	Speaks
Brown (Lee)	Hardy	Martin	Steagall
Burkhalter	Hare	Mathews	Stembridge
Callahan	Harrison	Mathison	Stokes
Cornett	Harvey	Meeks	Thomas
Crook	Hawkins	Molette	Tyson
Davis	Hodges	Money	Vacca
Dement	Huddleston	Murphy	Windle
deGraffenried	Hunt	Nettles	Wood
DeSear	Jenkins		

—90

And the bill:

H. 7. To regulate the sale of alcoholic beverages in Colbert County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Nolen
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Albea	Faulk	Kelly	Oden
Ashworth	Ferrell	Kirkham	Payne
Bassett	Franklin	Lackey	Perry
Boyd	Gilchrist	Lee (Barbour)	Pirkle
Bradford	Gist	Lee (Lawrence)	Ramey
Brannan	Goodwyn	Locke (Choctaw)	Richardson
Branyon	Gregory	Locke (Perry)	Roberts
Brassell	Grouby	Love	Selman
Brewer	Hain	McClendon	Shumate
Broadfoot	Hall	McKay	Simon
Brooks	Haltom	McLendon	Solomon
Brown (Lamar)	Hanby	McNider	Speaks
Brown (Lee)	Hardy	Martin	Steagall
Burkhalter	Hare	Mathews	Stembridge
Callahan	Harrison	Mathison	Stokes
Cornett	Harvey	Meeks	Thomas
Crook	Hawkins	Molette	Tyson
Davis	Hodges	Money	Vacca
deGraffenried	Huddleston	Murphy	Windle
Dement	Hunt	Nettles	Wood
DeSear	Jenkins		

—90

And the bill:

H. 18. To Amend Act No. 18, H. 6, approved February 17, 1955, creating the Cullman County Commission on Education and establishing the office of Superintendent of County Schools.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Callahan	Hain	Lackey
Adams	Cornett	Hall	Lee (Barbour)
Albea	Crook	Haltom	Lee (Lawrence)
Ashworth	Davis	Hanby	Locke (Choctaw)
Bagley	deGraffenried	Hardy	Locke (Perry)
Bassett	Dement	Hare	Love
Boyd	DeSear	Harrison	McClendon
Bradford	Edwards (Escambia)	Harvey	McKay
Brannan	Edwards (Jefferson)	Hawkins	McLendon
Branyon	Faulk	Hodges	McNider
Brassell	Ferrell	Huddleston	Martin
Brewer	Franklin	Hunt	Mathews
Broadfoot	Gilchrist	Jenkins	Mathison
Brooks	Gist	Johnson (Elmore)	Meeks
Brown (Lamar)	Goodwyn	Johnson (Tallapoosa)	Molette
Brown (Lee)	Gregory	Kelly	Money
Burkhalter	Grouby	Kirkham	Murphy

Nettles	Pirkle	Simon	Thomas
Nolen	Ramey	Solomon	Tyson
Oakley	Richardson	Speaks	Vacca
Oden	Roberts	Steagall	Windle
Payne	Selman	Stembridge	Wood
Perry	Shumate	Stokes	

—91

And the bill:

H. 19. Proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Cullman County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	DeSear	Jenkins	Nolen
Adams	Edwards (Escambia)	Johnson (Elmore)	Oakley
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Oden
Ashworth	Faulk	Kelly	Payne
Bagley	Ferrell	Kirkham	Perry
Bassett	Franklin	Lackey	Pirkle
Boyd	Gilchrist	Lee (Barbour)	Ramey
Bradford	Gist	Lee (Lawrence)	Richardson
Brannan	Goodwyn	Locke (Choctaw)	Roberts
Branyon	Gregory	Locke (Perry)	Selman
Brassell	Grouby	Love	Shumate
Brewer	Hain	McClendon	Simon
Broadfoot	Hall	McKay	Solomon
Brooks	Haltom	McLendon	Speaks
Brown (Lamar)	Hanby	McNider	Steagall
Brown (Lee)	Hardy	Martin	Stembridge
Burkhalter	Hare	Mathews	Stokes
Callahan	Harrison	Mathison	Thomas
Cornett	Harvey	Meeks	Tyson
Crook	Hawkins	Molette	Vacca
Davis	Hodges	Money	Windle
deGraffenried	Huddleston	Murphy	Wood
Dement	Hunt	Nettles	

—91

And the bill:

H. 20. To amend Section nine of Act No. 436, S. 523, approved July 29, 1907, the Act which created and established a commission known as "Selma Water Works Commission," (1907 Local Acts 554).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Boyd	Broadfoot	Cornett
Adams	Bradford	Brooks	Crook
Albea	Brannan	Brown (Lamar)	Davis
Ashworth	Branyon	Brown (Lee)	deGraffenried
Bagley	Brassell	Burkhalter	Dement
Bassett	Brewer	Callahan	DeSear

Edwards (Escambia)	Harvey	McKay	Ramey
Edwards (Jefferson)	Hawkins	McLendon	Richardson
Faulk	Hodges	McNider	Roberts
Ferrell	Huddleston	Martin	Selman
Franklin	Hunt	Mathews	Shumate
Gilchrist	Jenkins	Mathison	Simon
Gist	Johnson (Elmore)	Meeks	Solomon
Goodwyn	Johnson (Tallapoosa)	Molette	Speaks
Gregory	Kelly	Money	Steagall
Grouby	Kirkham	Murphy	Stembridge
Hain	Lackey	Nettles	Stokes
Hall	Lee (Barbour)	Nolen	Thomas
Haltom	Lee (Lawrence)	Oakley	Tyson
Hanby	Locke (Choctaw)	Oden	Vacca
Hardy	Locke (Perry)	Payne	Windle
Hare	Love	Perry	Wood
Harrison	McClendon	Pirkle	

—91

And the bill:

H. 48. Relating to Lauderdale County, directing the board of registrars to purge the list of registered voters; requiring and prescribing the procedure for the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with the re-identification.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	DeSear	Jenkins	Nice
Adams	Edwards (Escambia)	Johnson (Elmore)	Nolen
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Ashworth	Faulk	Kelly	Oden
Bagley	Ferrell	Kirkham	Payne
Bassett	Franklin	Lackey	Perry
Boyd	Gilchrist	Lee (Barbour)	Pirkle
Eradford	Gist	Lee (Lawrence)	Ramey
Brannan	Goodwyn	Locke (Choctaw)	Richardson
Branyon	Gregory	Locke (Perry)	Roberts
Brassell	Grouby	Love	Selman
Brewer	Hain	McClendon	Shumate
Broadfoot	Hall	McKay	Simon
Brooks	Haltom	McLendon	Solomon
Brown (Lamar)	Hanby	McNider	Speaks
Brown (Lee)	Hardy	Martin	Steagall
Burkhalter	Hare	Mathews	Stembridge
Callahan	Harrison	Mathison	Stokes
Cornett	Harvey	Meeks	Thomas
Crook	Hawkins	Molette	Tyson
Davis	Hodges	Money	Vacca
deGraffenried	Huddleston	Murphy	Windle
Dement	Hunt	Nettles	Wood

—92

And the bill:

H. 49. To Amend Act No. 39, S. 13, approved February 18, 1955, the Act abolishing the Board of Revenue of Lauderdale County and re-estab-

lishing a Court of County Commissioners, by repealing Section 8 of said Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	DeSear	Jenkins	Nice
Adams	Edwards (Escambia)	Johnson (Elmore)	Nolen
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Ashworth	Faulk	Kelly	Oden
Bagley	Ferrell	Kirkham	Payne
Bassett	Franklin	Lackey	Perry
Boyd	Gilchrist	Lee (Barbour)	Pirkle
Bradford	Gist	Lee (Lawrence)	Ramey
Brannan	Goodwyn	Locke (Choctaw)	Richardson
Branyon	Gregory	Locke (Perry)	Roberts
Brassell	Grouby	Love	Selman
Brewer	Hain	McClendon	Shumate
Broadfoot	Hall	McKay	Simon
Brooks	Haltom	McLendon	Solomon
Brown (Lamar)	Hanby	McNider	Speaks
Brown (Lee)	Hardy	Martin	Steagall
Burkhalter	Hare	Mathews	Stembridge
Callahan	Harrison	Mathison	Stokes
Cornett	Harvey	Meeks	Thomas
Crook	Hawkins	Molette	Tyson
Davis	Hodges	Money	Vacca
deGraffenried	Huddleston	Murphy	Windle
Dement	Hunt	Nettles	Wood

—92

And the bill:

H. 50. To amend Section 2 of Article 1 of Chapter 2 of Title 62 of the Code of Alabama of 1940 withdrawing Lawrence County, Alabama from the application of said article 1.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Burkhalter	Gregory	Johnson (Tallapoosa)
Adams	Callahan	Grouby	Kelly
Albea	Cornett	Hain	Kirkham
Ashworth	Crook	Hall	Lackey
Bagley	Davis	Haltom	Lee (Barbour)
Bassett	deGraffenried	Hanby	Lee (Lawrence)
Boyd	Dement	Hardy	Locke (Choctaw)
Bradford	DeSear	Hare	Locke (Perry)
Brannan	Edwards (Escambia)	Harrison	Love
Branyon	Edwards (Jefferson)	Harvey	McClendon
Brassell	Faulk	Hawkins	McKay
Brewer	Ferrell	Hodges	McLendon
Broadfoot	Franklin	Huddleston	McNider
Brooks	Gilchrist	Hunt	Martin
Brown (Lamar)	Gist	Jenkins	Mathews
Brown (Lee)	Goodwyn	Johnson (Elmore)	Mathison

Meeks	Oakley	Roberts	Stembridge
Molette	Oden	Selman	Stokes
Money	Payne	Shumate	Thomas
Murphy	Perry	Simon	Tyson
Nettles	Pirkle	Solomon	Vacca
Nice	Ramey	Speaks	Windle
Nolen	Richardson	Steagall	Wood

—92

And the bill:

H. 71. Relating to Mobile County: Fixing the salary of the judge of probate.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	DeSear	Jenkins	Nice
Adams	Edwards (Escambia)	Johnson (Elmore)	Nolen
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Ashworth	Faulk	Kelly	Oden
Bagley	Ferrell	Kirkham	Payne
Bassett	Franklin	Lackey	Perry
Boyd	Gilchrist	Lee (Barbour)	Pirkle
Bradford	Gist	Lee (Lawrence)	Ramey
Brannan	Goodwyn	Locke (Choctaw)	Richardson
Branyon	Gregory	Locke (Perry)	Roberts
Brassell	Grouby	Love	Selman
Brewer	Hain	McClendon	Shumate
Broadfoot	Hall	McKay	Simon
Brooks	Haltom	McLendon	Solomon
Brown (Lamar)	Hanby	McNider	Speaks
Brown (Lee)	Hardy	Martin	Steagall
Burkhalter	Hare	Mathews	Stembridge
Callahan	Harrison	Mathison	Stokes
Cornett	Harvey	Meeks	Thomas
Crook	Hawkins	Molette	Tyson
Davis	Hodges	Money	Vacca
deGraffenried	Huddleston	Murphy	Windle
Dement	Hunt	Nettles	Wood

—92

And the bill:

H. 72. To fix the salary of the tax assessor of Mobile County and to regulate the payment thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Bradford	Brown (Lamar)	deGraffenried
Adams	Brannan	Brown (Lee)	Dement
Albea	Branyon	Burkhalter	DeSear
Ashworth	Brassell	Callahan	Edwards (Escambia)
Bagley	Brewer	Cornett	Edwards (Jefferson)
Bassett	Broadfoot	Crook	Faulk
Boyd	Brooks	Davis	Ferrell

Franklin	Huddleston	McNider	Ramey
Gilchrist	Hunt	Martin	Richardson
Gist	Jenkins	Mathews	Roberts
Goodwyn	Johnson (Elmore)	Mathison	Selman
Gregory	Johnson (Tallapoosa)	Meeks	Shumate
Grouby	Kelly	Molette	Simon
Hain	Kirkham	Money	Solomon
Hall	Lackey	Murphy	Speaks
Haltom	Lee (Barbour)	Nettles	Steagall
Hanby	Lee (Lawrence)	Nice	Stembridge
Hardy	Locke (Choctaw)	Nolen	Stokes
Hare	Locke (Perry)	Oakley	Thomas
Harrison	Love	Oden	Tyson
Harvey	McClendon	Payne	Vacca
Hawkins	McKay	Perry	Windle
Hodges	McLendon	Pirkle	Wood

—92

And the bill:

H. 73. To apply in all counties having a population of not less than 230,000 nor more than 500,000 inhabitants, according to the last or any subsequent federal decennial census; to fix the compensation of the commissioner of licenses in all such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	DeSear	Jenkins	Nice
Adams	Edwards (Escambia)	Johnson (Elmore)	Nolen
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Ashworth	Faulk	Kelly	Oden
Bagley	Ferrell	Kirkham	Payne
Bassett	Franklin	Lackey	Perry
Boyd	Gilchrist	Lee (Barbour)	Pirkle
Bradford	Gist	Lee (Lawrence)	Ramey
Brannan	Goodwyn	Locke (Choctaw)	Richardson
Branyon	Gregory	Locke (Perry)	Roberts
Brassell	Grouby	Love	Selman
Brewer	Hain	McClendon	Shumate
Broadfoot	Hall	McKay	Simon
Brooks	Haltom	McLendon	Solomon
Brown (Lamar)	Hanby	McNider	Speaks
Brown (Lee)	Hardy	Martin	Steagall
Burkhalter	Hare	Mathews	Stembridge
Callahan	Harrison	Mathison	Stokes
Cornett	Harvey	Meeks	Thomas
Crook	Hawkins	Molette	Tyson
Davis	Hodges	Money	Vacca
deGraffenried	Huddleston	Murphy	Windle
Dement	Hunt	Nettles	Wood

—92

And the bill:

H. 74. To provide further for the compensation of circuit judges in circuits composed of one county and having not less than four nor more than nine circuit judges.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	DeSear	Jenkins	Nice
Adams	Edwards (Escambia)	Johnson (Elmore)	Nolen
Albea	Edwards (Jefferson)	Johnson (Tallahapoosa)	Oakley
Ashworth	Faulk	Kelly	Oden
Bagley	Ferrell	Kirkham	Payne
Bassett	Franklin	Lackey	Perry
Boyd	Gilchrist	Lee (Barbour)	Pirkle
Bradford	Gist	Lee (Lawrence)	Ramey
Brannan	Goodwyn	Locke (Choctaw)	Richardson
Branyon	Gregory	Locke (Perry)	Roberts
Brassell	Grouby	Love	Selman
Brewer	Hain	McClendon	Shumate
Broadfoot	Hall	McKay	Simon
Brooks	Haltom	McLendon	Solomon
Brown (Lamar)	Hanby	McNider	Speaks
Brown (Lee)	Hardy	Martin	Steagall
Burkhalter	Hare	Mathews	Stembridge
Callahan	Harrison	Mathison	Stokes
Cornett	Harvey	Meeks	Thomas
Crook	Hawkins	Molette	Tyson
Davis	Hodges	Money	Vacca
deGraffenried	Huddleston	Murphy	Windle
Dement	Hunt	Nettles	Wood

—92

And the bill:

H. 76. To apply in all counties having a population of not less than 200,000 inhabitants, according to the last or any subsequent Federal decennial census: To prescribe additional qualifications for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Davis	Harrison	McNider
Adams	deGraffenried	Harvey	Martin
Albea	Dement	Hawkins	Mathews
Ashworth	DeSear	Hodges	Mathison
Bagley	Edwards (Escambia)	Huddleston	Meeks
Bassett	Edwards (Jefferson)	Hunt	Molette
Boyd	Faulk	Jenkins	Money
Bradford	Ferrell	Johnson (Elmore)	Murphy
Brannan	Franklin	Johnson (Tallahapoosa)	Nettles
Branyon	Gilchrist	Kelly	Nice
Brassell	Gist	Kirkham	Nolen
Brewer	Goodwyn	Lackey	Oakley
Broadfoot	Gregory	Lee (Barbour)	Oden
Brooks	Grouby	Lee (Lawrence)	Payne
Brown (Lamar)	Hain	Locke (Choctaw)	Perry
Brown (Lee)	Hall	Locke (Perry)	Pirkle
Burkhalter	Haltom	Love	Ramey
Callahan	Hanby	McClendon	Richardson
Cornett	Hardy	McKay	Roberts
Crook	Hare	McLendon	Selman

Shumate	Speaks	Stokes	Vacca
Simon	Steagall	Thomas	Windle
Solomon	Stembridge	Tyson	Wood

—92

And the bill:

H. 93. To apply in Elmore and Tallapoosa counties; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	DeSear	Jenkins	Nice
Adams	Edwards (Escambia)	Johnson (Elmore)	Nolen
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Ashworth	Faulk	Kelly	Oden
Bagley	Ferrell	Kirkham	Payne
Bassett	Franklin	Lackey	Perry
Boyd	Gilchrist	Lee (Barbour)	Pirkle
Bradford	Gist	Lee (Lawrence)	Ramey
Brannan	Goodwyn	Locke (Choctaw)	Richardson
Branyon	Gregory	Locke (Perry)	Roberts
Brassell	Grouby	Love	Selman
Brewer	Hain	McClendon	Shumate
Broadfoot	Hall	McKay	Simon
Brooks	Haltom	McLendon	Solomon
Brown (Lamar)	Hanby	McNider	Speaks
Brown (Lee)	Hardy	Martin	Steagall
Burkhalter	Hare	Mathews	Stembridge
Callahan	Harrison	Mathison	Stokes
Cornett	Harvey	Meeks	Thomas
Crook	Hawkins	Molette	Tyson
Davis	Hodges	Money	Vacca
deGraffenried	Huddleston	Murphy	Windle
Dement	Hunt	Nettles	Wood

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And the bill:

H. 101. Relating to Winston County: To establish the Law and Equity Court of Winston County; to define its jurisdiction and powers, to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge to fix the time of sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the county court for Winston County and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Winston County, and causes pending in the Winston County Court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	DeSear	Jenkins	Nice
Adams	Edwards (Escambia)	Johnson (Elmore)	Nolen
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Ashworth	Faulk	Kelly	Oden
Bagley	Ferrell	Kirkham	Payne
Bassett	Franklin	Lackey	Perry
Boyd	Gilchrist	Lee (Barbour)	Pirkle
Bradford	Gist	Lee (Lawrence)	Ramey
Brannan	Goodwyn	Locke (Choctaw)	Richardson
Branyon	Gregory	Locke (Perry)	Roberts
Brassell	Grouby	Love	Selman
Brewer	Hain	McClendon	Shumate
Broadfoot	Hall	McKay	Simon
Brooks	Haltom	McLendon	Solomon
Brown (Lamar)	Hanby	McNider	Speaks
Brown (Lee)	Hardy	Martin	Steagall
Burkhalter	Hare	Mathews	Stembridge
Callahan	Harrison	Mathison	Stokes
Cornett	Harvey	Meeks	Thomas
Crook	Hawkins	Molette	Tyson
Davis	Hodges	Money	Vacca
deGraffenried	Huddleston	Murphy	Windle
Dement	Hunt	Nettles	Wood

—92

And the bill:

H. 102. Relating to Winston County: to provide further for the management and control of county funds and property; creating the office of county director of finance, and providing for his appointment, term of office, duties, powers, and compensation; prescribing budgetary, purchasing, and property control procedures; abolishing the offices of county treasurer and treasurer of the highway board.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	deGraffenried	Hawkins	Mathison
Adams	Dement	Hodges	Meeks
Albea	DeSear	Huddleston	Molette
Ashworth	Edwards (Escambia)	Hunt	Money
Bagley	Edwards (Jefferson)	Jenkins	Murphy
Bassett	Faulk	Johnson (Elmore)	Nettles
Boyd	Ferrell	Johnson (Tallapoosa)	Nice
Bradford	Franklin	Kelly	Nolen
Brannan	Gilchrist	Kirkham	Oakley
Branyon	Gist	Lackey	Oden
Brassell	Goodwyn	Lee (Barbour)	Payne
Brewer	Gregory	Lee (Lawrence)	Perry
Broadfoot	Grouby	Locke (Choctaw)	Pirkle
Brooks	Hain	Locke (Perry)	Ramey
Brown (Lamar)	Hall	Love	Richardson
Brown (Lee)	Haltom	McClendon	Roberts
Burkhalter	Hanby	McKay	Selman
Callahan	Hardy	McLendon	Shumate
Cornett	Hare	McNider	Simon
Crook	Harrison	Martin	Solomon
Davis	Harvey	Mathews	Speaks

Steagall
Stembridge

Stokes
Thomas

Tyson
Vacca

Windle
Wood

—92

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Eddins:

S. 25. To establish the Alabama Stonewall Jackson Memorial Fund; to set forth the purposes for which such fund is to be established; to set up a board of trustees to administer the fund; to make an appropriation of twenty thousand dollars (\$20,000.00) to said fund.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 25. Ways and Means.

RESOLUTION

The following resolution was introduced:

By Mr. Adams:

H.J.R. 9. Recognizing May 14, 1955, as Women's Army Corps Day in the State of Alabama.

WHEREAS, The Governor of the State has proclaimed May 14, 1955, the thirteenth Anniversary of The Women's Army Corps, as Women's Army Corps Day in Alabama, and

WHEREAS, the members of the Women's Army Corps are actively engaged, at home and overseas, in upholding and defending our democratic way of life and the basic principles of freedom cherished by this Nation, and

WHEREAS, The State of Alabama is honored by having the permanent Women's Army Corps Center located at Fort McClellan, Anniston, Alabama, and

WHEREAS, The Women's Army Corps, a select group of American womanhood, has a proud tradition and has demonstrated loyalty and devotion to our Country;

NOW, THEREFORE, BE IT RESOLVED by the Legislature of Alabama, both houses thereof concurring, that the members of the Legislature record themselves as recognizing May 14, 1955 as Women's Army Corps Day in Alabama by paying special tribute to its members.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Director, Women's Army Corps, Washington, D. C.; The Commanding General, Third Army, Fort McPherson, Georgia; and The Commandant, The Women's Army Corps Center, Fort McClellan, Alabama.

On motion of Mr. Adams the rules were suspended and H.J.R. 9 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Little:

S. 31. To extend, alter and rearrange the boundary lines and corporate limits of the City of Eufaula, in Barbour County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of intention to apply for passage of a local law for Barbour County, Alabama, at the regular session of the Legislature of Alabama which convenes in May, 1955, which local law reads as follows:

A BILL
TO BE ENTITLED
AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the City of Eufaula, in Barbour County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries and corporate limits of the City of Eufaula, in Barbour County, Alabama, be and the same are hereby extended, altered, and rearranged so as to include within the corporate limits of said City all of the following described territory, lying and being in Barbour County, Alabama, viz:

The NE1-4 of the NW1-4, the NW1-4 of the NE1-4, the SE1-4 of the NW1-4, the SW1-4 of NE1-4, the NE1-4 of SW1-4 lying North of Chewalla Creek. The NW1-4 of the SE1-4 lying North of Chewalla Creek. The SE1-4 of the SW1-4 lying North of Chewalla Creek. The SW1-4 of the SE1-4 lying North of Chewalla Creek. Section 29, Township 11, Range 29.

The E1-2 of Section 6, Township 10, Range 29. The E1-2 of Section 7, Township 10, Range 29. The NW1-4 and the W1-2 of SW1-4 of Section 8, Township 10, Range 29. The S1-2 of Section 5, Township 10, Range 29. The S1-2 of Section 4, Township 10, Range 29. The S1-2 of the S1-2 of Section 31, Township 11, Range 29. N1-2 of NE1-4, Section 18, Township 10, Range 29. NW1-4 of NW1-4, Section 17, Township 10, Range 29.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA,
BARBOUR COUNTY.

Before me, Mrs. J. W. Smith, a Notary Public in and for said State and County, personally appeared H. L. Upshaw, who being sworn, deposes and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice Legal Notice was published in said newspaper 4 times, the same appearing in the issues dated: Mch. 29, Apr. 5-12-19, 1955.

H. L. UPSHAW.

Sworn to and subscribed before me this the 26 day of April, 1955.

MRS. J. M. SMITH,
Notary Public, Barbour Co., Ala.

Also:

By Messrs. Roberts and Allen:

S. 9. To regulate further the compensation of the judges of the circuit courts in all circuits composed of two counties when the judge is required by law to hold at least two terms of court at two different places in at least one of such counties during any one year; providing for a supplement to the salary of the judge payable by the counties composing the circuit.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 31. Local Legislation No. 1.

S. 9. Ways and Means.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H.J.R. 8. Relative to requesting the Governor of Alabama to proclaim the week beginning July 24, 1955 as State Farm Safety Week.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:
By Mr. Flowers:

S.J.R. 6. A MEMORIAL TO THE CONGRESS OF THE UNITED STATES TO PROVIDE SUFFICIENT FUNDS FOR IMMEDIATE COMPLETION OF THE JIM WOODRUFF LOCK AND DAM AND CERTAIN OTHER PROJECTS ON THE CHATTAHOOCHEE, FLINT AND APALACHICOLA RIVERS.

WHEREAS, the Congress of the United States has authorized a public works project to improve the Chattahoochee, Flint and Apalachicola Rivers in Florida, Georgia and Alabama, and

WHEREAS, two phases of this project are now under construction: the Jim Woodruff Lock and Dam on the Apalachicola River at Chattahoochee, Florida, and the Buford Dam on the Chattahoochee River at Buford, Georgia, and

WHEREAS, there are three additional phases of the project for which construction funds have not been provided, namely, the channel in the Apalachicola River between the intracoastal waterway near Apalachicola, Florida, and the Jim Woodruff Lock and Dam, the Columbia Lock and Dam on the Chattahoochee River near Columbia, Alabama; and the Fort Gaines Lock and Dam on the Chattahoochee River near Fort Gaines, Georgia, and

WHEREAS, each phase must be completed in its entirety before maximum use can be realized and the cost benefit ratio be obtained as established by the U.S. Engineers, and

WHEREAS, the two million Americans living in the tri-river valley will be greatly benefitted if an accelerated construction program is adopted whereby all approved phases of the authorized project are placed on a simultaneous construction status, NOW, THEREFORE, BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

That the Congress of the United States be and it is hereby requested to provide sufficient construction monies to continue construction of the Jim Woodruff Lock and Dam, the Buford Dam and to commence construction on the Apalachicola River channel, the Columbia Lock and Dam, and the Fort Gaines Lock and Dam, during the next fiscal year, July 1, 1955, to July 1, 1956.

BE IT FURTHER RESOLVED, that copies of this memorial be dispatched to the President of the United States; to the President of the United States Senate; to the Speaker of the United States House of Representatives; to each of the ablest Congressional delegation in the United States Congress, the Alabama delegation; to the Chief of Engineers, Corps of Engineers, Washington, D. C.; to each of the governors of the states of Florida, Alabama and Georgia; and to the president of the Three Rivers Development Association, the Honorable Jim Woodruff, Senior, Columbus, Georgia.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 6 set out in the above and foregoing Message from the Senate.

RECESS

On motion of Mr. Hawkins the House recessed until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:00 o'clock P.M. having arrived, the House reconvened.

RECONSIDERATION OF H. 76

The motion of Mr. Simon to reconsider the vote by which the bill, H. 76, was passed, was adopted.

And the bill:

H. 76. To apply in all counties having a population of not less than 200,000 inhabitants, according to the last or any subsequent Federal decennial census: To prescribe additional qualifications for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

Was again taken up.

Messrs. Meeks and Simon offered the following amendment to the bill, H. 76:

Amend H.B. 76 by inserting in the caption and in Section 1, after the words "200,000 inhabitants", the words and figures: "and not exceeding 500,000 inhabitants,"

And the amendment was adopted.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	DeSear	Johnson (Tallapoosa)	Payne
Adams	Dickson	Kelly	Perry
Albea	Edwards (Escambia)	Kendall	Pirkle
Ashworth	Edwards (Jefferson)	Killough	Ramey
Bagley	Faulk	Lackey	Reynolds
Bassett	Ferrell	Law	Richardson
Boyd	Franklin	Lee (Barbour)	Roberts
Bradford	Gilchrist	Lee (Lawrence)	Selman
Brannan	Gist	Locke (Perry)	Shumate
Branyon	Goodwyn	Love	Simon
Brassell	Gregory	McClendon	Solomon
Brewer	Grouby	McKay	Speaks
Broadfoot	Hain	McLendon	Steagall
Brooks	Hall	McNider	Stembridge
Brown (Lamar)	Haltom	Mathews	Stokes
Brown (Lee)	Hanby	Mathison	Summerlin
Burkhalter	Hardy	Meeks	Taylor
Callahan	Harrison	Molette	Thomas
Cox	Harvey	Murphy	Tyson
Crook	Hodges	Nettles	Vacca
Davis	Huddleston	Nice	Ward
Dawkins	Hunt	Nolen	Windle
deGraffenried	Jenkins	Oakley	Wood
Dement	Johnson (Elmore)	Oden	

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And said bill, H. 76, as thus amended, was again read at length and passed.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Boyd	Broadfoot	Cox
Adams	Bradford	Brooks	Crook
Albea	Brannan	Brown (Lamar)	Davis
Ashworth	Branyon	Brown (Lee)	Dawkins
Bagley	Brassell	Burkhalter	deGraffenried
Bassett	Brewer	Callahan	Dement

DeSear	Huddleston	McNider	Richardson
Dickson	Hunt	Mathews	Roberts
Edwards (Escambia)	Jenkins	Mathison	Selman
Edwards (Jefferson)	Johnson (Elmore)	Meeks	Shumate
Faulk	Johnson (Tallapoosa)	Molette	Simon
Ferrell	Kelly	Money	Solomon
Franklin	Kendall	Murphy	Speaks
Gilchrist	Killough	Nettles	Steagall
Gist	Lackey	Nice	Stembridge
Goodwyn	Law	Nolen	Stokes
Gregory	Lee (Barbour)	Oakley	Summerlin
Grouby	Lee (Lawrence)	Oden	Taylor
Hain	Locke (Choctaw)	Payne	Thomas
Hall	Locke (Perry)	Perry	Tyson
Haltom	Love	Pirkle	Vacca
Hanby	McClendon	Pruitt	Ward
Hardy	McKay	Ramey	Windle
Harvey	McLendon	Reynolds	Wood
Hodges			

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BILLS ON THIRD READING RESUMED

H. 84 (with amendment). To make it a felony for any person to buy or offer to buy the vote of another or to sell or offer to sell his own, and prescribing the penalty therefor.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

JUDICIARY COMMITTEE AMENDMENT TO H. B. 84

Amend Section 1 of H.B. 84 by striking the word "two" in line 5 and substituting the word "one" in lieu thereof.

On motion of Mr. Adams the amendment reported by the Standing Committee on Judiciary was laid upon the table.

Yeas 66; Nays 38.

Yeas:

Messrs.:	Dickson	Kelly	Nolen
Adams	Edwards (Escambia)	Kendall	Oakley
Bagley	Edwards (Jefferson)	Killough	Payne
Bassett	Franklin	Lackey	Perry
Boyd	Gilchrist	Law	Pirkle
Bradford	Gist	Lee (Barbour)	Pruitt
Brannan	Gregory	Locke (Choctaw)	Ramey
Brassell	Grouby	Locke (Perry)	Reynolds
Brewer	Hanby	Love	Solomon
Broadfoot	Harvey	McClendon	Steagall
Brown (Lee)	Hawkins	McKay	Stembridge
Burkhalter	Hodges	McLendon	Summerlin
Cornett	Holliman	McNider	Taylor
Cox	Hunt	Martin	Thomas
Crook	Jenkins	Mathews	Ward
Dement	Johnson (Elmore)	Mathison	Windle
DeSear	Johnson (Tallapoosa)	Money	

—66

Nays:

Mr. Speaker	Faulk	Kirkham	Roberts
Albea	Ferrell	Lee (Lawrence)	Selman
Ashworth	Goodwyn	Meeks	Shumate
Branyon	Hain	Molette	Simon
Brooks	Hall	Murphy	Speaks
Brown (Lamar)	Haltom	Nettles	Stokes
Callahan	Hardy	Nice	Tyson
Davis	Hare	Oden	Vacca
Dawkins	Huddleston	Richardson	Wood
deGraffenried	Kaul		

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Mr. Selman offered the following amendment to the bill, H. 84:

Amendment of H.B. 84. Strike out the first sentence in Section 1 and substitute therefor the following:

Any person who buys or offers to buy the vote of another, by the payment of money or the promise to pay at a future time, or sells or offers to sell his own vote, at any election, shall, upon conviction, be punished by a fine of not less than one hundred dollars nor more than five thousand dollars, or by imprisonment in the county or municipal jail or hard labor for the county for not less than thirty days nor more than one year, or by imprisonment in the penitentiary for not less than one nor more than five years, or by both such fine and hard labor or imprisonment.

On motion of Mr. Brassell the amendment offered by Mr. Selman was laid upon the table.

Yeas 66; Nays 35.

Yeas:

Messrs:	Franklin	Kaul	Meeks
Adams	Gilchrist	Kendall	Molette
Albea	Gist	Killough	Nettles
Ashworth	Gregory	Kirkham	Nice
Bagley	Grouby	Lackey	Nolen
Bassett	Hain	Law	Oakley
Boyd	Hanby	Lee (Barbour)	Perry
Bradford	Hardy	Locke (Choctaw)	Pruitt
Brannan	Hare	Locke (Perry)	Reynolds
Branyon	Harvey	Love	Solomon
Brassell	Hawkins	McClendon	Steagall
Brown (Lee)	Hodges	McKay	Stembridge
Cornett	Holliman	McLendon	Stokes
Crook	Hunt	McNider	Summerlin
DeSear	Jenkins	Martin	Thomas
Edwards (Escambia)	Johnson (Elmore)	Mathews	Wood
Edwards (Jefferson)	Johnson (Tallapoosa)	Mathison	

—66

Nays:

Mr. Speaker	Dawkins	Hall	Murphy
Brewer	deGraffenried	Haltom	Oden
Broadfoot	Dement	Harrison	Payne
Brooks	Dickson	Hodges	Ramey
Brown (Lamar)	Faulk	Huddleston	Richardson
Callahan	Ferrell	Lee (Lawrence)	Roberts
Davis	Goodwyn	Money	Selman

Shumate	Speaks	Vacca	Windle
Simon	Tyson	Ward	

—35

On motion of Mr. Brassell, the motion of Mr. Richardson to re-commit the bill, H. 84, was laid upon the table.

Yeas 50; Nays 48.

Yeas:

Messrs:	Gist	Kirkham	Nettles
Adams	Grouby	Lackey	Nice
Albea	Hanby	Law	Nolen
Bagley	Hare	Locke (Choctaw)	Oakley
Bradford	Harrison	Love	Perry
Brassell	Hawkins	McClendon	Simon
Brown (Lee)	Hodges	McKay	Solomon
Cornett	Holliman	McLendon	Steagall
Crook	Hunt	McNider	Stembridge
Davis	Johnson (Elmore)	Martin	Stokes
Edwards (Escambia)	Johnson (Tallapoosa)	Mathison	Summerlin
Edwards (Jefferson)	Kaul	Meeks	Taylor
Franklin	Kelly	Murphy	

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Nays:

Mr. Speaker	deGraffenried	Hardy	Pirkle
Ashworth	Dement	Harvey	Pruitt
Bassett	DeSear	Huddleston	Ramey
Boyd	Dickson	Jenkins	Richardson
Brannan	Faulk	Kendall	Roberts
Branyon	Ferrell	Lee (Barbour)	Selman
Brewer	Gilchrist	Lee (Lawrence)	Shumate
Broadfoot	Goodwyn	Locke (Perry)	Speaks
Brooks	Gregory	Mathews	Thomas
Brown (Lamar)	Hain	Molette	Tyson
Callahan	Hall	Money	Windle
Dawkins	Haltom	Payne	Wood

—48

On motion of Mr. Brassell, the motion of Mr. Selman to postpone further consideration of the bill, H. 84, to the next legislative day, was laid upon the table.

Yeas 50; Nays 42.

Yeas:

Messrs:	Grouby	Lackey	Nice
Adams	Hain	Locke (Choctaw)	Nolen
Albea	Hare	Locke (Perry)	Oakley
Bagley	Hawkins	Love	Perry
Brannan	Hodges	McClendon	Simon
Brown (Lee)	Holliman	McKay	Solomon
Cornett	Hunt	McLendon	Steagall
Crook	Johnson (Elmore)	Martin	Stembridge
DeSear	Johnson (Tallapoosa)	Mathison	Stokes
Dickson	Kaul	Meeks	Summerlin
Edwards (Escambia)	Kendall	Molette	Taylor
Edwards (Jefferson)	Killough	Murphy	Windle
Franklin	Kirkham	Nettles	

—50

Nays:

Mr. Speaker	Dawkins	Harrison	Ramey
Ashworth	deGraffenried	Huddleston	Richardson
Boyd	Dement	Jenkins	Roberts
Bradford	Faulk	Lee (Barbour)	Selman
Branyon	Ferrell	Lee (Lawrence)	Shumate
Brewer	Gilchrist	McNider	Speaks
Broadfoot	Gist	Mathews	Thomas
Brown (Lamar)	Goodwyn	Money	Tyson
Burkhalter	Hall	Payne	Vacca
Callahan	Haltom	Pirkle	Ward
Davis	Hanby		

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And said bill, H. 84, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 14.

Yeas:

Mr. Speaker	Ferrell	Kendall	Nolen
Adams	Franklin	Killough	Oakley
Albea	Gilchrist	Kirkham	Payne
Ashworth	Gist	Lackey	Perry
Bagley	Gregory	Lee (Barbour)	Pirkle
Bassett	Grouby	Lee (Lawrence)	Pruitt
Boyd	Hain	Locke (Choctaw)	Ramey
Bradford	Hanby	Locke (Perry)	Reynolds
Brannan	Hardy	Love	Shumate
Branyon	Hare	McClendon	Simon
Brassell	Harrison	McKay	Solomon
Brown (Lee)	Harvey	McLendon	Speaks
Burkhalter	Hawkins	McNider	Steagall
Cornett	Hodges	Martin	Stembridge
Cox	Holliman	Mathews	Stokes
Crook	Huddleston	Mathison	Summerlin
Davis	Hunt	Meeks	Taylor
Dement	Jenkins	Molette	Thomas
DeSear	Johnson (Elmore)	Money	Vacca
Dickson	Johnson (Tallapoosa)	Murphy	Windle
Edwards (Escambia)	Kaul	Nettles	Wood
Edwards (Jefferson)	Kelly	Nice	

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Nays:

Messrs:	Brown (Lamar)	Goodwyn	Roberts
Brewer	Callahan	Hall	Selman
Broadfoot	Dawkins	Haltom	Tyson
Brooks	deGraffenried	Richardson	

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On motion of Mr. Brassell, his motion to reconsider the vote by which the bill, H. 84, was passed, was laid upon the table.

RESOLUTION

The following resolution was introduced:

By Messrs. Callahan, deGraffenried and Gilchrist:

H.J.R. 10. WHEREAS, Herbert E. (Pug) Newton passed away at his home in Tuscaloosa quite recently, and

WHEREAS, for many years Mr. Newton has taken a personal interest in the welfare of many students attending the University of Alabama, and

WHEREAS, without the aid of Mr. Newton many of these students would have been unable to secure a college education, and

WHEREAS, the student body of the University of Alabama and the State of Alabama has lost a beloved friend,

NOW THEREFORE BE IT RESOLVED, BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the Legislature of the State of Alabama mourns the death of Mr. Newton and extends to the members of his family its sincere sympathy. Be it further resolved that this Resolution be spread upon the Journal of both the Houses of the Legislature and a copy thereof be sent to the family of Mr. Newton.

On motion of Mr. Gilchrist the rules were suspended and H.J.R. 10 was adopted.

ELECTION

LEGISLATIVE COMMITTEE ON PUBLIC ACCOUNTS, LEGISLATIVE COUNCIL AND STATE BUILDING COMMISSION

The hour of 2:30 o'clock P.M. having arrived, the House in accordance with H.R. 4 heretofore adopted, proceeded to hold an election for five members of the Legislative Committee on Public Accounts, six members of the Legislative Council and four members of the Building Commission.

The following nominations were made from the floor of the House for members of the Legislative Committee on Public Accounts:

Messrs. Thomas, Nolen, Summerlin, Kaul, Pirkle, Brannan, Broadfoot, Cox, Steagall, Lee (Lawrence) and Selman.

On motion of Mr. Hawkins the nominations were closed.

The following nominations were made from the floor of the House for members of the Legislative Council:

Messrs. Martin, Adams, Nice, Branyon, Stokes, Tyson, Kendall, Oakley, Hare, deGraffenried and Goodwyn.

On motion of Mr. McNider the nominations were closed.

The following nominations were made from the floor of the House for members of the State Building Commission:

Messrs. Dement, Hall, Dickson, Solomon, Edwards (Escambia), Burkhalter, Ferrell, Harvey, Boyd, Callahan and Hanby.

On motion of Mr. DeSear the nominations were closed.

The Speaker of the House appointed as tellers: Messrs. Perry, Brasell, Locke (Choctaw), Faulk, McNider, Cornett, Taylor, Richardson, Locke (Perry), Martin, Bagley and Hain.

The tellers heretofore appointed by the Speaker to canvass the results announced that Messrs. Brannan, Kaul, Summerlin and Thomas had received a majority of the votes cast and were duly nominated for members of the Legislative Committee on Public Accounts, and that

Messrs. Pirkle and Nolen had received the next highest number of votes cast but had not received a majority.

On a second ballot the tellers announced that Mr. Pirkle had received the highest number of votes cast and was duly nominated.

The tellers heretofore appointed by the Speaker to canvass the results announced that Messrs. Kendall, Adams, Goodwyn, Martin, Nice and Stokes had received a majority of the votes cast and were duly nominated for members of the Legislative Council.

The tellers heretofore appointed by the Speaker to canvass the results announced that Messrs. Boyd, Harvey and Solomon had received a majority of the votes cast and were duly nominated for members of the State Building Commission, and that Messrs. Hanby and Burkhalter had received the next highest number of votes cast but had not received a majority.

On a second ballot the tellers announced that Mr. Hanby had received the highest number of votes cast and was duly nominated.

In accordance with H.R. 4, the Speaker directed the Clerk to call a viva voce roll of the House, and those who voted for the nominees were as follows:

Mr. Speaker	Edwards (Escambia)	Kaul	Oakley
Adams	Edwards (Jefferson)	Kelly	Oden
Albea	Faulk	Kendall	Payne
Ashworth	Ferrell	Killough	Perry
Bagley	Franklin	Kirkham	Pirkle
Bassett	Gilchrist	Lackey	Pruitt
Boyd	Gist	Law	Ramey
Bradford	Goodwyn	Lee (Barbour)	Reynolds
Brannan	Gregory	Lee (Lawrence)	Richardson
Branyon	Grouby	Locke (Choctaw)	Roberts
Erassell	Hain	Locke (Perry)	Selman
Brewer	Hall	Love	Shumate
Broadfoot	Haltom	McClendon	Simon
Brooks	Hanby	McKay	Solomon
Brown (Lamar)	Hardy	McLendon	Speaks
Brown (Lee)	Hare	McNider	Steagall
Burkhalter	Harrison	Martin	Stembridge
Callahan	Harvey	Mathews	Stokes
Cornett	Hawkins	Mathison	Summerlin
Cox	Hodges	Meeks	Taylor
Crook	Holliman	Molette	Thomas
Davis	Huddleston	Money	Tyson
Dawkins	Hunt	Murphy	Vacca
deGraffenried	Jenkins	Nettles	Ward
Dement	Johnson (Elmore)	Nice	Windle
DeSear	Johnson (Tallapoosa)	Nolen	Wood
Dickson			

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Messrs. Brannan, Kaul, Summerlin, Thomas and Pirkle having received all of the votes cast, which is a majority of the whole House, the Speaker announced that Messrs. Brannan, Kaul, Summerlin, Thomas and Pirkle had been duly and constitutionally elected as members of the Legislative Committee on Public Accounts on the part of the House of Representatives.

Messrs. Kendall, Adams, Goodwyn, Martin, Nice and Stokes having received all of the votes cast, which is a majority of the whole House,

the Speaker announced that Messrs. Kendall, Adams, Goodwyn, Martin, Nice and Stokes had been duly and constitutionally elected as members of the Legislative Council on the part of the House of Representatives.

Messrs. Boyd, Harvey, Solomon and Hanby having received all of the votes cast, which is a majority of the whole House, the Speaker announced that Messrs. Boyd, Harvey, Solomon and Hanby had been duly and constitutionally elected as members of the State Building Commission on the part of the House of Representatives.

RESOLUTION

The following resolution was introduced:

By Mr. Hawkins:

H.J.R. 11. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Friday, May 13, 1955, at 10 o'clock A.M.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 11 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H.J.R. 9. Relative to recognizing May 14, 1955 as Women's Army Corps Day in Alabama by paying special tribute to its members.

Also:

H.J.R. 10. Relative to extending sympathy to the family of Herbert E. (Pug) Newton.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 11. Relative to adjournment of the two Houses until Friday, May 13, 1955, at 10 o'clock A.M.

J. E. SPEIGHT,
Secretary.

BILLS ON THIRD READING RESUMED

H. 39. To appropriate out of any funds in the State Treasury not otherwise appropriated, the sum of \$375,000.00 to the Armory Commission of Alabama for the fiscal year ending September 30, 1955, to be used for providing additional armory facilities required by the Alabama National Guard and the Air National Guard units and headquarters and to be allotted and expended only when matching funds are made available by the United States Government for such purposes.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Dement	Hunt	Oden
Adams	DeSear	Johnson (Elmore)	Payne
Albea	Dickson	Johnson (Tallapoosa)	Perry
Asliworth	Edwards (Escambia)	Kaul	Pirkle
Bagley	Edwards (Jefferson)	Kelly	Pruitt
Bassett	Faulk	Kendall	Ramey
Boyd	Ferrell	Killough	Reynolds
Bradford	Franklin	Kirkham	Roberts
Brannan	Gilchrist	Law	Selman
Branyon	Goodwyn	Lee (Barbour)	Shumate
Brassell	Gregory	Lee (Lawrence)	Simon
Brewer	Grouby	Locke (Choctaw)	Solomon
Broadfoot	Hain	Locke (Perry)	Speaks
Brooks	Hall	McClendon	Steagall
Brown (Lamar)	Halton	McKay	Stembridge
Brown (Lee)	Hanby	McLendon	Summerlin
Burkhalter	Hardy	McNider	Taylor
Callahan	Hare	Martin	Thomas
Cornett	Harrison	Mathison	Tyson
Cox	Harvey	Meeks	Vacca
Crook	Hawkins	Murphy	Ward
Davis	Hodges	Nettles	Windle
Dawkins	Holliman	Nice	Wood
deGraffenried	Huddleston	Oakley	

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And the bill:

H. 40. To make an additional appropriation to the Military Department of the State of Alabama out of any funds in the State Treasury not otherwise appropriated in the sum of \$55,000.00 for the fiscal year ending September 30, 1955.

Was taken up.

Mr. Oden offered the following substitute for the bill, H. 40:
Substitute for H.B. 40.

**A BILL
TO BE ENTITLED
AN ACT**

To make an additional appropriation to the Military Department of the State of Alabama out of any funds in the State Treasury not otherwise appropriated in the sum of \$65,000.00 for the fiscal year ending September 30, 1955.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby appropriated out of any funds in the State Treasury not otherwise appropriated the sum of \$65,000.00 to the Military Department of the State of Alabama for the fiscal year ending September 30, 1955.

Section 2. The additional appropriation herein provided shall be expended pursuant to Title 55, Chapter 4, Article 3, Code of Alabama 1940, as other funds heretofore appropriated to the Military Department for the support thereof are expended, and in the amounts hereinafter set out:

Other salaries	\$15,000.00
Other expenses	3,000.00

Equipment purchases	13,000.00
Quarterly allowances	12,000.00
Active military service	10,000.00
Care and maintenance of Armories, for trans- fer to The Armory Commission	12,000.00
	<hr/>
	\$65,000.00

Section 3. This Act shall become effective immediately upon its passage and approval of the Governor or upon its otherwise becoming a law.

The motion of Mr. Meeks to lay on the table the substitute offered by Mr. Oden was lost.

Yeas 36; Nays 51.

Yeas:

Messrs.	Edwards (Jefferson)	Hare	Meeks
Albea	Faulk	Huddleston	Murphy
Ashworth	Ferrell	Hunt	Nice
Bagley	Gregory	Kaul	Oakley
Boyd	Grouby	Killough	Perry
Bradford	Hain	Kirkham	Richardson
Brannan	Haltom	Locke (Perry)	Simon
DeSear	Hanby	McLendon	Tyson
Dickson	Hardy	McNider	Windle
Edwards (Escambia)			

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Nays:

Mr. Speaker	Cornett	Hawkins	Oden
Adams	Cox	Hodges	Payne
Bassett	Crook	Holliman	Pruitt
Brannan	Davis	Johnson (Elmore)	Reynolds
Branyon	Dawkins	Johnson (Tallapoosa)	Selman
Brassell	deGraffenried	Kelly	Shumate
Brewer	Dement	Kendall	Speaks
Broadfoot	Franklin	Law	Steagall
Brooks	Gilchrist	Lee (Barbour)	Stokes
Brown (Lamar)	Goodwyn	Lee (Lawrence)	Summerlin
Brown (Lee)	Hall	McKay	Taylor
Burkhalter	Harrison	Martin	Ward
Callahan	Harvey	Nettles	Wood

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And the substitute offered by Mr. Oden was adopted.

Yeas 78; Nays 15.

Yeas:

Mr. Speaker	Brassell	Crook	Franklin
Adams	Brewer	Davis	Gilchrist
Ashworth	Broadfoot	Dawkins	Goodwyn
Bagley	Brooks	deGraffenried	Gregory
Bassett	Brown (Lamar)	Dement	Grouby
Boyd	Burkhalter	Dickson	Hall
Bradford	Callahan	Edwards (Escambia)	Haltom
Brannan	Cornett	Edwards (Jefferson)	Hanby
Branyon	Cox	Ferrell	

Hare	Kirkham	Nettles	Steagall
Harrison	Law	Oden	Stembridge
Harvey	Lee (Barbour)	Payne	Stokes
Hawkins	Lee (Lawrence)	Pirkle	Summerlin
Hodges	McClendon	Pruitt	Taylor
Huddleston	McKay	Ramey	Thomas
Hunt	McLendon	Reynolds	Vacca
Johnson (Elmore)	McNider	Roberts	Ward
Johnson (Tallapoosa)	Martin	Selman	Windle
Kelly	Mathews	Shumate	Wood
Kendall	Mathison	Solomon	

—78

Nays:

Messrs.	Hardy	Meeks	Perry
Albea	Holliman	Murphy	Richardson
Faulk	Killough	Nice	Simon
Hain	Lackey	Oakley	Tyson

—15

And said bill, H. 40, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Dement	Johnson (Elmore)	Payne
Adams	DeSear	Johnson (Tallapoosa)	Perry
Albea	Dickson	Kelly	Pirkle
Ashworth	Edwards (Escambia)	Kendall	Pruitt
Bagley	Edwards (Jefferson)	Killough	Ramey
Bassett	Faulk	Kirkham	Reynolds
Boyd	Ferrell	Lackey	Richardson
Bradford	Franklin	Law	Roberts
Brannan	Gilchrist	Lee (Barbour)	Selman
Branyon	Goodwyn	Lee (Lawrence)	Shumate
Brassell	Gregory	Locke (Choctaw)	Simon
Brewer	Grouby	Locke (Perry)	Solomon
Broadfoot	Hain	McClendon	Speaks
Brooks	Hall	McKay	Steagall
Brown (Lamar)	Haltom	McLendon	Stembridge
Brown (Lee)	Hanby	McNider	Summerlin
Burkhalter	Hardy	Martin	Taylor
Callahan	Harrison	Mathews	Thomas
Cornett	Harvey	Mathison	Tyson
Cox	Hawkins	Meeks	Vacca
Crook	Hodges	Murphy	Ward
Davis	Holliman	Nettles	Windle
Dawkins	Huddleston	Oakley	Wood
deGraffenried	Hunt	Oden	

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MOTION TO ADJOURN LOST

The motion of Mr. Johnson (Tallapoosa) to adjourn until Friday, May 13, 1955, at ten o'clock A.M. was lost.

MOTION LOST

The motion of Mr. Lee (Barbour) to bring up the bill, H. 2, out of order was lost.

MOTION LOST

The motion of Mr. Goodwyn to bring up the bills, H. 79, H. 80, H. 81 and H. 82 out of order was lost.

CERTIFICATE OF CLERK

The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:20 A. M. On May 10, 1955
H.J.R. 6.

Delivered to the Governor at 12:10 P. M. On May 10, 1955
H.J.R. 8.

R. T. GOODWYN,
Clerk.

ADJOURNMENT

On motion of Mr. Johnson (Tallapoosa) the House adjourned until Friday, May 13, 1955, at ten o'clock A.M.

FOURTH DAY

House of Representatives
Montgomery, Alabama
Friday, May 13, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend John Vickers, Pastor, First Methodist Church, Luverne, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	deGraffenried	Huddleston	Mathison
Adams	Dement	Hunt	Meeks
Albea	DeSear	Jenkins	Molette
Ashworth	Dickson	Johnson (Elmore)	Money
Bagley	Edwards (Escambia)	Johnson (Tallapoosa)	Murphy
Bassett	Edwards (Jefferson)	Kaul	Nettles
Boyd	Ferrell	Kelly	Nice
Bradford	Franklin	Kendall	Nolen
Brannan	Gist	Killough	Oakley
Branyon	Goodwyn	Kirkham	Oden
Brassell	Gregory	Lackey	Payne
Brewer	Grouby	Law	Perry
Broadfoot	Hain	Lee (Barbour)	Pirkle
Brooks	Hall	Lee (Lawrence)	Pruitt
Brown (Lamar)	Haltom	Locke (Choctaw)	Ramey
Brown (Lee)	Hanby	Locke (Perry)	Reynolds
Burkhalter	Hardy	Love	Richardson
Callahan	Hare	McClendon	Roberts
Cornett	Harrison	McLendon	Selman
Cox	Harvey	McKay	Shumate
Crook	Hawkins	McNider	Simon
Davis	Hodges	Martin	Solomon
Dawkins	Holliman	Mathews	Speaks

Steagall
Stembridge
Stokes

Summerlin
Taylor
Thomas

Tyson
Vacca
Ward

Windle
Wood

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the third legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the third legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON EN-ROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bills with the original bill and finds same correctly engrossed, to-wit:
By Messrs. Murphy, Simon, Tyson:

H. 76. To apply in all counties having a population of not less than 200,000 inhabitants, and not exceeding 500,000 inhabitants, according to the last or any subsequent Federal decennial census: To prescribe additional qualifications for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

RANKIN FITE,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON EN-ROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions to-wit:

H.J.R. 9. Relative to the Legislature recognizing May 14, 1955 as Women's Army Corps Day in Alabama.

H.J.R. 10. Relative to the Legislature extending sympathy to the family of Herbert E. (Pug) Newton, deceased.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading

at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 6. Memorializing Congress of the United States to provide sufficient funds for completion of projects on the Chattahoochee, Flint and Apalachicola rivers.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

PURSUANT TO NOTICE AND MOTION IN WRITING

Pursuant to notice given on the second legislative day, and motion made on the third legislative day, Mr. Oden moved that House Rule 40 be amended by adding at the end of said rule the following: "(16) Military Affairs", and the motion of Mr. Oden was adopted.

RESOLUTION

The following resolution was introduced:

By Messrs. Taylor and Killough:

H.J.R. 12. House Joint Resolution relative to the death of Hon. Harry Oliver Taylor.

Be It Resolved By the Legislature of Alabama, both Houses thereof concurring, That the recent death of Hon. Harry Oliver Taylor, a distinguished former member of the House of Representatives from Butler County, is noted with profound regret, his passing is deeply mourned, and the sincere sympathy of the members and officers of the Legislature is extended to his family.

Resolved further, that a copy of this resolution be sent by the Clerk of the House to the widow of the deceased.

On motion of Mr. Taylor the rules were suspended and H.J.R. 12 was adopted.

BILLS ON SECOND READING

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 113. To regulate further the payment of the compensation of clerks of courts of county commissioners, boards of revenue, or like county governing bodies.

H. 119. To make an appropriation from the general fund in the state treasury for payment of the expenses incurred by the State in sponsoring the annual meeting of the Southern Governors' Conference, which is to be held at Point Clear October 17-20, 1955.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 122 (with amendment). To amend Act No. 292, S. 292, approved July 9, 1945 (General Acts of Alabama, 1945, page 482) which provided for the examination, licensing and regulation of licensed practical nurses.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 123. To amend further Act No. 96, H. 102, approved June 15, 1945, (General Acts of Alabama, 1945, page 92) which relates to schools of nursing and the examination, regulation and registration of nurses.

H. 126. To amend Title 41, Section 154, Code of Alabama 1940, as amended, which relates to travel expense for persons in State service.

H. 127. To amend Title 36, Section 61, 69, and 71, Code of Alabama 1940, as amended, which relate to funds of the Department of Public Safety.

H. 128. To amend Sections 6, 8 and 10 and to repeal Sections 11, 12, 13, 14, and 16 of Act No. 585 entitled "An Act To create a Department of Public Safety; to provide for the appointment by the Governor of the Director thereof; to provide for the salary of said Director, and that said salary may be fixed by the Governor; to authorize the creation of divisions within said department and the appointment under the provisions of the Merit System of the chiefs of said divisions and other employees; to prescribe the duties and powers of the Director of the Department of Public Safety, and to enumerate the laws which said Director shall administer and enforce; to provide for the disposition of costs, fees and mileage of Highway Patrol officers when attending courts; to provide for the police powers possessed by members of the State Highway Patrol; to provide for the payment of the compensation of officers, agents and employees of the Department of Public Safety, and to provide for the payment of expenses for necessary equipment; to create a fund in the State Treasury to be known as the State Public Highway and Traffic Control Fund, and to prescribe the monies which shall be paid into said fund; to require that expenditures of the Department of Public Safety shall be limited to amounts appropriated by the Legislature out of the State Public Highway and Traffic Control Fund; to provide for the liability of members of the State Highway Patrol on their official bonds; to prescribe an arrest fee for Highway Patrol officers, and the payment of said fee into the State Public Highway and Traffic Control Fund; to provide that any unencumbered balance in the State Public Highway and Traffic Control Fund at the end of any two year drivers' licensing period shall be paid into the Public Road and Bridge Fund of the Highway Department; to require the State Comptroller to record the source of funds paid into the State Public Highway and Traffic Control Fund; to authorize the Department of Public Safety to promulgate rules and regulations having the force and effect of law

and to provide for a penalty for the violation thereof; to transfer all monies or funds in the Highway Patrol Fund to the State Public Highway and Traffic Control Fund, and to authorize any appropriation heretofore made from said Highway Patrol Fund to be paid out of the said State Public Highway and Traffic Control Fund; and to provide for the effective date of this Act." approved September 11, 1953.

H. 129. To amend Title 51, Section 632, Code of Alabama 1940, as amended, which relates to distribution of tax on lubricating oil.

H. 130. To provide that in addition to all other appropriations heretofore made there is hereby appropriated the additional sum of \$10,000.00 from any funds in the State Treasury not otherwise appropriated for the fiscal year ending September 30, 1955, to be expended for telephone service, stationery, stamps, and necessary office equipment for the office use of circuit solicitors, deputy circuit solicitors or assistants.

H. 135. To provide a lifetime fishing and hunting license for all citizens of this State over the age of sixty-five years and to provide for an issuing fee for such licenses.

Mr. Murphy Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 31. To extend, alter and rearrange the boundary lines and corporate limits of the City of Eufaula, in Barbour County, Alabama.

H. 157. Relating to Lawrence County; to authorize the Board of Revenue to compensate certain employees of the county who were injured while engaged in the performance of their duties as such county employees.

H. 162. Relating to a reorganization of the government of St. Clair County; abolishing the Court of County Commissioners of St. Clair County and creating in lieu thereof the Board of Revenue of St. Clair County; providing for the election of the members of the Board, and prescribing their qualifications, terms, and compensation; and providing for the organization, powers, jurisdiction, and duties of the Board, and the authority and duties of its individual members.

H. 165. Relating to Talladega County; to authorize the county governing body to appropriate county funds, within prescribed limits, for the payments of certain obligations of the county.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 57. Relating to actions on certain contracts of insurance: To provide for recovery of benefits by one assured when more than one party is named as the assured in a contract of insurance.

H. 58. Relating to motor vehicles: To repeal Section 95 of Title 36, Code 1940, which is the "Guest Law."

H. 61. Relating to civil remedies and procedure: To provide for pleading in short in civil cases at law.

H. 66. Relating to insurance; providing that the insurer may be joined as a defendant in certain actions against the insured.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 67 (with amendment). To amend Section 123 of Title 7 of the Code of Alabama, 1940, relating to actions for wrongful act, omission or negligence causing death.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 140. To amend Chapter 9, Title 15 of the Code of Alabama (1940) relating to bail, as amended by Act No. 199 July 8, 1949, by defining the power and authority and jurisdiction of the courts in proceedings on forfeitures of undertakings, or bail bonds, by the failure of the defendant to appear as required, in all counties in this State; and to authorize the courts in such counties to remit in whole or in part the penalty of such bail bonds as the ends of justice may appear to require.

H. 167. To amend Section 369 of Title 15 of the 1940 Code, which relates to appeals in habeas corpus cases.

Mr. Brown (Lee) Chairman of the Standing Committee on Transportation reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 38. Relating to appointments to certain positions in the State Highway Department; providing that employees of the State Highway Department used in any county in connection with the construction, maintenance, and repair of county roads and bridges, where responsibility for such construction, maintenance, and repair is transferred by law to the State Highway Department, shall be drawn insofar as possible from residents of the county.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Ashworth:

H. 173. To amend Section 343 and Section 348 of Title 15, Code of Alabama (1940), which relate to the execution of convicts who have been sentenced to death.

Judiciary.

By Mr. Hawkins:

H. 174. Relating to actions and parties; providing for the joinder of all or any number of employees of the same employer as plaintiffs in an action against the employer involving a dispute over the payment of wages.

Judiciary.

By Mr. Hawkins:

H. 175. TO AMEND; Section 69 of Article 2 of Chapter 2 of Title 61 of the Code of Alabama of 1940.

Judiciary.

By Messrs. Hawkins, Harrison, Davis, Selman, Dement, Lackey, Callahan, Hodges, Tyson, Dawkins, Simon, Murphy, Oden, Jenkins, Brown (Lee), Stembbridge, Thomas, Brassell, Kelly, Steagall, Edwards (Escambia), Solomon, Lee (Lawrence), Franklin, Payne, Gregory, McKay, Nolen, Kendall, Hall, Ferrell, Hare, Lee (Barbour), Bagley, Burkhalter, Johnson (Tallapoosa), Hanby, Cox, Edwards (Jefferson), Meeks, Perry, Fite, Ramey, Money, Gist, deGraffenried and Goodwyn.

H. 176. To provide for civil defense upon the occurrence of disasters of emergencies: Creating and establishing within the executive branch of the State Government a department of Civil Defense and authorizing the creation of local organizations for civil defense in the political subdivisions of the State; conferring upon the Governor and upon governing bodies of political subdivisions emergency powers with respect to civil defense; providing for the rendering of mutual aid among political subdivisions, and with other States, and with the Federal Government; ratifying and confirming all mutual interstate aid agreements and pacts heretofore entered into between the State of Alabama and other States of the United States; authorizing the establishment of such organizations and the taking of such steps as are necessary and appropriate to carry out the provisions of this Act; imposing penalties for violations of the Act or any rule, order or regulation made pursuant to the Act; and making an appropriation.

Ways and Means.

By Mr. Davis:

H. 177. To make an additional appropriation to the Agricultural Center Board for the fiscal year ending September 30, 1955, from funds in the State Treasury not otherwise appropriated.

Ways and Means.

By Messrs. Windle, Kaul, Davis, Pirkle and Locke (Choctaw):

H. 178. To provide a program for the protection of forest trees from tree infestation and disease. To establish a system and method for the suppression of infestation and disease in forest trees. To provide for co-operative agreements with the Federal Government, other agencies and persons. To provide for a fund known as the "Control of Forest Tree Insects and Diseases Fund," and to further provide an appropriation for the management of the program.

Conservation.

By Messrs. Kaul, Windle, Davis, Pirkle and Locke (Choctaw):

H. 179. To enable the State of Alabama to enter into a compact with other states for the purpose of promoting effective prevention and control of forest fires in the Southeastern Region of the United States by the development of integrated forest fire plans; to provide for mutual aid between such compacting states in fighting forest fires; to provide for a forest fire control compact administrator for the State of Alabama; to provide and establish an advisory Committee of legislators and forestry representatives; to provide for the duties and travel expenses of said committee.

Conservation.

By Messrs. Nice, Vacca, Oden, Perry, Meeks, Hawkins, Fite, Roberts, Lee (Lawrence), Kelly, Gist, Bagley, Ward, Thomas, Ashworth, Lackey, Edwards (Jefferson) and Kaul:

H. 180. Recognizing alcoholism as an illness and a public health problem; creating the Alabama Commission on Alcoholism and providing for appointment of its members, its organization, compensation,

duties, powers, managements, and employment of personnel; defining terms; providing for methods and procedures for voluntary and involuntary committal and detention of alcoholics for treatment and rehabilitation and their discharge; providing for assessment of costs of commitment and support; promoting educational programs aimed at prevention of addiction to alcohol; to collect and spread information regarding alcoholism and its related problems; providing for an appropriation to the Commission; declaring the unauthorized delivery of alcoholic beverages to persons under care and custody of the Commission to be a misdemeanor and fixing the punishment therefor.

Ways and Means.

By Messrs. Nolen, Dawkins, Hall and Goodwyn:

H. 181. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Montgomery County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Ward and Brown (Lee) (with notice and proof):

H. 182. To amend Act. No. 301, H. 595, approved July 27, 1951, which authorizes the clerk of the Circuit Court of Lee County to employ clerical assistance (1950-51 Acts, Vol. 1, page 596).

Local Legislation No. 1.

Notice and Proof H. 182:

Notice is hereby given that the following local bill will be introduced in the Legislature, State of Alabama, in the next session.

BE IT ORDAINED by the Board

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 301, H. 595, approved July 27, 1951, which authorizes the clerk of the Circuit Court of Lee County to employ clerical assistants (1950-51 Acts, Vol. I, p. 596).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section one of Act No. 301, H. 595, approved July 27, 1951, entitled, "An Act Relating to Lee County: To authorize the Circuit Clerk of Lee County, Alabama, to employ and prescribe the duties of clerical assistants with the approval of the county governing body, and to provide that the compensation of such assistants shall be fixed and paid by the governing body of Lee County," is amended to read as follows:

"Section 1. With the approval of the governing body of Lee County, Alabama, the circuit clerk shall be authorized to employ and prescribe the duties of secretarial or clerical assistants in his office, whose compensation shall be fixed by the governing body of said county at not more than three thousand six hundred dollars (\$3,600.00) per annum altogether. The compensation of the clerk's assistants shall be paid out of the general funds of the county."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. (3-24-55)

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Lee County Bulletin, a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 3, March 10, March 17, and March 24, all in the year 1955.

NEIL O. DAVIS.

Sworn to and subscribed before me May 11, 1955.

KNOX M. McMILLAN,
Notary Public.

By Messrs. Cox, Gregory, Money, Ferrell and Burkhalter:

H. 183. To amend Section 187 of Title 13 of the Code of Alabama of 1940 relating to the appointment and compensation of bailiffs.

Ways and Means.

By Messrs. Murphy, Tyson and Simon:

H. 184. To amend further Section 99 of Title 21, Code of Alabama (1940), as amended, which relates to the discharge of debt owed to certain minors or persons of unsound mind by payment into the probate court.

Judiciary.

By Messrs. Murphy, Tyson and Simon:

H. 185. To amend Section 799 of Title 7, Code of Alabama (1940), which exempts certain women from the requirement to give security for the costs of appeal in certain cases.

Judiciary.

By Messrs. Murphy, Tyson and Simon:

H. 186. Relating to taxation; providing an additional personal exemption for individual income taxpayers who either have attained the age of 65 or are blind.

Ways and Means.

By Messrs. deGraffenried, Callahan, Ashworth, Ramey, Branyon, Lee (Barbour), Thomas, Ward, Stembridge, Hawkins, Brown (Lamar), Roberts, Brewer, Perry, Meeks, Nice, Haltom, Broadfoot, Huddleston and Harrison:

H. 187. To make an Appropriation for the Restoration and Renovation of the Gorgas Home.

Ways and Means.

By Messrs. Selman and Shumate:

H. 188. To repeal "The Unfair Cigarette Sales Act" (Act No. 805, S. 385, approved September 11, 1951, (1950-51 Acts, Vol. II, pp. 1402-1408).

Judiciary.

BILLS ON THIRD READING

H. 65. Relating to Marion County: Regulating the solicitation of membership in certain organizations from among the citizens of Marion

County; providing for the issuance of permits and payment of fees for the solicitation of membership in such organizations; and prescribing penalties for violations of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 11.

Yeas:

Mr. Speaker	DeSear	Hunt	Mathison
Adams	Dickson	Jenkins	Molette
Bagley	Edwards ^(Escambia)	Johnson ^(Elmore)	Money
Boyd	Edwards ^(Jefferson)	Johnson ^(Tallapoosa)	Nice
Bradford	Ferrell	Kirkham	Nolen
Brannan	Franklin	Lackey	Oakley
Branyon	Gist	Law	Oden
Brassell	Goodwyn	Lee ^(Lawrence)	Payne
Brewer	Gregory	Locke ^(Choctaw)	Ramey
Brooks	Grouby	Locke ^(Perry)	Richardson
Burkhalter	Hain	Love	Solomon
Callahan	Hall	McClendon	Speaks
Cornett	Hardy	McKay	Steagall
Cox	Hare	McLendon	Stembridge
Davis	Harvey	McNider	Thomas
deGraffenried	Holliman	Martin	Windle

—64

Nays:

Messrs.	Dement	Harrison	Perry
Broadfoot	Haltom	Hodges	Selman
Dawkins	Hanby	Huddleston	Shumate

—11

And the bill:

H. 105. To alter or rearrange the boundary lines of the City of Andalusia, Covington County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Covington County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Callahan	Grouby	Johnson ^(Elmore)
Adams	Cornett	Hain	Johnson ^(Tallapoosa)
Albea	Cox	Hall	Kelly
Ashworth	Crook	Haltom	Kendall
Bagley	Davis	Hanby	Killough
Boyd	Dawkins	Hardy	Kirkham
Bradford	deGraffenried	Hare	Law
Brannan	Dement	Harrison	Lee ^(Barbour)
Branyon	DeSear	Harvey	Lee ^(Lawrence)
Brassell	Dickson	Hawkins	Locke ^(Choctaw)
Brewer	Edwards ^(Escambia)	Hodges	Locke ^(Perry)
Broadfoot	Ferrell	Holliman	Love
Brooks	Franklin	Huddleston	McClendon
Brown ^(Lee)	Gist	Hunt	McKay
Burkhalter	Goodwyn	Jenkins	McLendon

McNider	Nolen	Selman	Taylor
Martin	Oakley	Shumate	Thomas
Mathews	Oden	Simon	Tyson
Mathison	Payne	Solomon	Vacca
Molette	Pirkle	Speaks	Ward
Money	Pruitt	Steagall	Windle
Murphy	Ramey	Stembridge	Wood
Nice	Richardson	Summerlin	

—91

And the bill:

H. 114. To regulate further the compensation of county superintendents of education in all counties having a population of not less than 19,200 nor more than 20,000 inhabitants, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	DeSear	Johnson (Tallapoosa)	Oakley
Adams	Dickson	Kelly	Oden
Albea	Edwards (Escambia)	Kendall	Payne
Ashworth	Ferrell	Killough	Pirkle
Bagley	Franklin	Kirkham	Pruitt
Boyd	Gist	Law	Ramey
Bradford	Goodwyn	Lee (Barbour)	Richardson
Brannan	Grouby	Lee (Lawrence)	Selman
Branyon	Hain	Locke (Choctaw)	Shumate
Brassell	Hall	Locke (Perry)	Simon
Brewer	Haltom	Love	Solomon
Broadfoot	Hanby	McClendon	Speaks
Brooks	Hardy	McKay	Steagall
Brown (Lee)	Hare	McLendon	Stembridge
Burkhalter	Harrison	McNider	Summerlin
Callahan	Harvey	Martin	Taylor
Cornett	Hawkins	Mathews	Thomas
Cox	Hodges	Mathison	Tyson
Crook	Holliman	Molette	Vacca
Davis	Huddleston	Money	Ward
Dawkins	Hunt	Murphy	Windle
deGraffenried	Jenkins	Nice	Wood
Dement	Johnson (Elmore)	Nolen	

—91

And the bill:

H. 117. Proposing an amendment to the Constitution of Alabama relating to Lamar County, and ordering an election thereon.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Bagley	Branyon	Brooks
Adams	Boyd	Brewer	Brown (Lamar)
Albea	Bradford	Brassell	Brown (Lee)
Ashworth	Brannan	Broadfoot	Burkhalter

Callahan	Hanby	Lee (Lawrence)	Pirkle
Cornett	Hardy	Locke (Choctaw)	Pruitt
Cox	Hare	Locke (Perry)	Ramey
Crook	Harrison	Love	Richardson
Davis	Harvey	McClendon	Selman
Dawkins	Hawkins	McKay	Shumate
deGraffenried	Hodges	McLendon	Simon
Dement	Holliman	McNider	Solomon
DeSear	Huddleston	Martin	Speaks
Dickson	Hunt	Mathews	Steagall
Edwards (Escambia)	Jenkins	Mathison	Stembridge
Ferrell	Johnson (Elmore)	Molette	Summerlin
Franklin	Johnson (Tallapoosa)	Money	Taylor
Gist	Kelly	Murphy	Thomas
Goodwyn	Kendall	Nice	Tyson
Grouby	Killough	Nolen	Vacca
Hain	Kirkham	Oakley	Ward
Hall	Law	Oden	Windle
Haltom	Lee (Barbour)	Payne	Wood

—92

And the bill:

H. 131. Relating to Perry County, Alabama, prohibiting the installation or operation of coin operated parking meter devices in any city, town or other incorporated municipality located therein; unless the installation or operation thereof is first authorized by a majority vote of the qualified electors of such municipal corporation or town affected.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Dickson	Kelly	Oden
Adams	Edwards (Escambia)	Kendall	Payne
Albea	Edwards (Jefferson)	Killough	Perry
Ashworth	Ferrell	Kirkham	Pirkle
Bagley	Franklin	Lackey	Pruitt
Boyd	Gist	Law	Ramey
Bradford	Goodwyn	Lee (Barbour)	Reynolds
Brannan	Gregory	Lee (Lawrence)	Richardson
Branyon	Grouby	Locke (Choctaw)	Roberts
Brassell	Hain	Locke (Perry)	Selman
Brewer	Hall	Love	Shumate
Broadfoot	Haltom	McClendon	Simon
Brooks	Hanby	McKay	Solomon
Brown (Lamar)	Hardy	McLendon	Speaks
Brown (Lee)	Hare	McNider	Steagall
Burkhalter	Harrison	Martin	Stembridge
Callahan	Harvey	Mathews	Summerlin
Cornett	Hawkins	Mathison	Taylor
Cox	Hodges	Molette	Thomas
Crook	Holliman	Money	Tyson
Davis	Huddleston	Murphy	Vacca
Dawkins	Hunt	Nice	Ward
deGraffenried	Jenkins	Nolen	Windle
Dement	Johnson (Elmore)	Oakley	Wood
DeSear	Johnson (Tallapoosa)		

—98

And the bill:

H. 132. Relating to St. Clair County: To amend further Act No. 109, H. 322, approved February 20, 1937 (Local Acts of the Special Session of 1936-37, p. 59), which provides for the election of the county superintendent of education, and fixes his compensation, powers, and duties, by increasing the compensation and expense allowance of such officer.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Dickson	Kelly	Oden
Adams	Edwards (Escambia)	Kendall	Payne
Albea	Edwards (Jefferson)	Killough	Perry
Ashworth	Ferrell	Kirkham	Pirkle
Bagley	Franklin	Lackey	Pruitt
Boyd	Gist	Law	Ramey
Bradford	Goodwyn	Lee (Barbour)	Reynolds
Brannan	Gregory	Lee (Lawrence)	Richardson
Branyon	Grouby	Locke (Choctaw)	Roberts
Brassell	Hain	Locke (Perry)	Selman
Brewer	Hall	Love	Shumate
Broadfoot	Haltom	McClendon	Simon
Brooks	Hanby	McKay	Solomon
Brown (Lamar)	Hardy	McLendon	Speaks
Brown (Lee)	Hare	McNider	Steagall
Burkhalter	Harrison	Martin	Stembridge
Callahan	Harvey	Mathews	Summerlin
Cornett	Hawkins	Mathison	Taylor
Cox	Hodges	Molette	Thomas
Crook	Holliman	Money	Tyson
Davis	Huddleston	Murphy	Vacca
Dawkins	Hunt	Nice	Ward
deGraffenried	Jenkins	Nolen	Windle
Dement	Johnson (Elmore)	Oakley	Wood
DeSear	Johnson (Tallapoosa)		

—98

And the bill:

H. 142. To repeal an act entitled "An Act To Authorize the Sheriff of Winston County, Alabama, with the approval of the County Governing Body, to appoint three additional Deputies Sheriff whose salary not to exceed \$900.00 annually, and the duration of service may be fixed and determined by said County Governing Body; to designate the county residence and the areas of service of said deputies, and to prescribe their duties and to require them to give bond as provided by the General Laws of Alabama; to provide that the salaries of said Deputies shall be paid out of the General Fund of the County, which shall be reimbursed out of certain fines, forfeitures, costs and fees; to provide when this Act shall become inoperative and to fix the effective date hereof," approved July 23, 1947, (Local Acts of Alabama of 1947, pages 121 and 122).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Ashworth	Bradford	Brassell
Adams	Bagley	Brannan	Brewer
Albea	Boyd	Branyon	Broadfoot

Brooks	Hain	Lee (Barbour)	Pirkle
Brown (Lamar)	Hall	Lee (Lawrence)	Pruitt
Brown (Lee)	Haltom	Locke (Choctaw)	Ramey
Burkhalter	Hanby	Locke (Perry)	Reynolds
Callahan	Hardy	Love	Richardson
Cornett	Hare	McClendon	Roberts
Cox	Harrison	McKay	Selman
Crook	Harvey	McLendon	Shumate
Davis	Hawkins	McNider	Simon
Dawkins	Hodges	Martin	Solomon
deGraffenried	Holliman	Mathews	Speaks
Dement	Huddleston	Mathison	Steagall
DeSear	Hunt	Molette	Stembridge
Dickson	Jenkins	Money	Summerlin
Edwards (Escambia)	Johnson (Elmore)	Murphy	Taylor
Edwards (Jefferson)	Johnson (Tallapoosa)	Nice	Thomas
Ferrell	Kelly	Nolen	Tyson
Franklin	Kendall	Oakley	Vacca
Gist	Killough	Oden	Ward
Goodwyn	Kirkham	Payne	Windle
Gregory	Lackey	Perry	Wood
Grouby	Law		

—98

And the bill:

H. 143. To amend section 1 of "An Act to allow the Sheriff of Winston County an additional deputy sheriff to that now provided by law, and fix his salary and make it payable out of the general funds of the County in monthly installments, said deputy to be located at Haleyville, Alabama," approved July 21, 1927, (Local Acts of Alabama of 1927, page 69) as amended by Act No. 169 of the Legislature of Alabama of 1951, approved June 29, 1951 (Acts of Alabama, 1951, page 405).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	deGraffenried	Holliman	Mathews
Adams	Dement	Huddleston	Mathison
Albea	DeSear	Hunt	Molette
Ashworth	Dickson	Jenkins	Money
Bagley	Edwards (Escambia)	Johnson (Elmore)	Murphy
Boyd	Edwards (Jefferson)	Johnson (Tallapoosa)	Nice
Bradford	Ferrell	Kelly	Nolen
Brannan	Franklin	Kendall	Oakley
Branyon	Gist	Killough	Oden
Brassell	Goodwyn	Kirkham	Payne
Brewer	Gregory	Lackey	Perry
Broadfoot	Grouby	Law	Pirkle
Brooks	Hain	Lee (Barbour)	Pruitt
Brown (Lamar)	Hall	Lee (Lawrence)	Ramey
Brown (Lee)	Haltom	Locke (Choctaw)	Reynolds
Burkhalter	Hanby	Locke (Perry)	Richardson
Callahan	Hardy	Love	Roberts
Cornett	Hare	McClendon	Selman
Cox	Harrison	McKay	Shumate
Crook	Harvey	McLendon	Simon
Davis	Hawkins	McNider	Solomon
Dawkins	Hodges	Martin	Speaks

Steagall	Taylor	Vacca	Windle
Stembridge	Thomas	Ward	Wood
Summerlin	Tyson		

—98

RESOLUTION

The following resolution was introduced:

By Mr. Hawkins:

H.J.R. 13. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, May 17, 1955, and when they adjourn on Tuesday, May 17, they adjourn to meet again on Thursday, May 19, 1955. When they adjourn on Thursday, May 19, 1955, they adjourn to meet again on Tuesday, May 24, 1955.

The motion of Mr. Hawkins to suspend the rules in order to bring up for immediate consideration the above and foregoing H.J.R. 13 was lost.

Yeas 65; Nays 27.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Murphy
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Nolen
Ashworth	Ferrell	Kendall	Oakley
Bradford	Franklin	Killough	Oden
Brannan	Goodwyn	Kirkham	Reynolds
Brassell	Gregory	Lackey	Selman
Broadfoot	Hall	Law	Shumate
Brown (Lee)	Hanby	Lee (Lawrence)	Simon
Callahan	Hare	Locke (Choctaw)	Solomon
Cox	Harrison	Locke (Perry)	Speaks
Crook	Hawkins	McClendon	Steagall
Davis	Hodges	McLendon	Stembridge
Dawkins	Holliman	McNider	Summerlin
deGraffenried	Huddleston	Mathison	Taylor
Dement	Hunt	Meeks	Tyson
DeSear	Jenkins	Money	Windle
Dickson			

—65

Nays:

Messrs.	Brown (Lamar)	Lee (Barbour)	Pirkle
Albea	Cornett	Love	Pruitt
Bagley	Gist	McKay	Ramey
Bassett	Haltom	Martin	Richardson
Boyd	Hardy	Molette	Roberts
Branyon	Harvey	Payne	Stokes
Brewer	Kaul	Perry	Ward

—27

And said resolution H.J.R. 13 was referred to the Standing Committee on Rules.

RECESS

On motion of Mr. Hawkins the House recessed for ten minutes. The House reconvened. The Speaker called the House to order.

REPORT OF RULES COMMITTEE

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report.

By Mr. Hawkins:

H.J.R. 13. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two houses adjourn today, they adjourn to meet again on Tuesday, May 17, 1955, and when they adjourn on Tuesday, May 17, they adjourn to meet again on Thursday, May 19, 1955. When they adjourn on Thursday, May 19, 1955, they adjourn to meet again on Tuesday, May 24, 1955.

And H.J.R. 13 was adopted.

Mr. Hawkins moved to lay on the table the motion of Mr. Stokes to reconsider the vote by which the resolution, H.J.R. 13, was adopted.

And the motion of Mr. Hawkins was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:

By Mr. Allen:

S.J.R. 7. Be it resolved by the Senate, the House of Representatives concurring, that the Legislature and the members and officers thereof hereby record, and express to Sen. James S. Coleman, Jr., and Rep. Reginald Richardson and Rep. Charles H. Ramey, and the people of Hale County, their deep appreciation for the gracious hospitality extended, and the delightful barbecue enjoyed on Wednesday, May 11, at Greensboro.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 7 set out in the above and foregoing Message from the Senate.

POINT OF PERSONAL PRIVILEGE

Mr. Bagley requested as a matter of personal privilege that the Journal show that he asked consent to change his vote from "yea" to "nay" on House Bill 65.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to notify the House of Representatives that the following Senators have been elected on Legislative Committees, as follows:

STATE BUILDING COMMISSION: Messrs. Van Antwerp, Skidmore, Flowers and Cantrell

LEGISLATIVE COMMITTEE ON PUBLIC ACCOUNTS: Messrs. Calvin, Dyar, Newton, Robison and Shelton

LEGISLATIVE COUNCIL: Messrs. Engelhardt, Smith, Tate and Jones

J. E. SPEIGHT,
Secretary.

BILLS ON THIRD READING RESUMED

H. 47. To provide further for the admittance of applicants to the State bar examinations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 3.

Yeas:

Mr. Speaker	Edwards ^(Jefferson)	Kaul	Oakley
Albea	Ferrell	Kelly	Oden
Ashworth	Franklin	Killough	Perry
Bagley	Gist	Lackey	Pirkle
Bradford	Goodwyn	Law	Ramey
Brassell	Gregory	Lee ^(Barbour)	Reynolds
Brewer	Grouby	Lee ^(Lawrence)	Richardson
Broadfoot	Hain	Locke ^(Choctaw)	Roberts
Brooks	Hall	Love	Selman
Brown ^(Lamar)	Haltom	McClendon	Shumate
Brown ^(Lee)	Hanby	McLendon	Speaks
Burkhalter	Hardy	McNider	Steagall
Callahan	Hare	Martin	Stembridge
Cornett	Harrison	Mathews	Stokes
Cox	Hawkins	Mathison	Summerlin
Crook	Hodges	Meeks	Taylor
Davis	Huddleston	Molette	Thomas
Dawkins	Hunt	Nettles	Vacca
deGraffenried	Jenkins	Nice	Ward
Dement	Johnson ^(Elmore)	Nolen	Wood
Dickson			

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Neys: Messrs. Branyon, McKay and Payne.

—3

POINT OF PERSONAL PRIVILEGE

Messrs. Vacca and Albea requested as a matter of personal privilege that the Journal show that they were called out of the House when the bill, H. 65, was voted on. They requested that the Journal show that had they been present they would have voted "nay".

BILLS ON THIRD READING RESUMED

H. 51. To amend Section 55 of Title 30 of Code of Alabama of 1940, relating to challenges of jurors for cause.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cox	Ferrell
Adams	Brewer	Crook	Franklin
Albea	Broadfoot	Davis	Gist
Ashworth	Brooks	Dawkins	Goodwyn
Bagley	Brown ^(Lamar)	deGraffenried	Gregory
Bassett	Brown ^(Lee)	Dement	Grouby
Boyd	Burkhalter	DeSear	Hain
Bradford	Callahan	Dickson	Hall
Branyon	Cornett	Edwards ^(Jefferson)	Haltom

Hanby	Killough	Meeks	Roberts
Hardy	Kirkham	Molette	Selman
Hare	Lackey	Money	Shumate
Harrison	Lee (Barbour)	Nettles	Solomon
Harvey	Lee (Lawrence)	Nice	Speaks
Hawkins	Locke (Choctaw)	Nolen	Steagall
Hodges	Locke (Perry)	Oakley	Stembridge
Holliman	Love	Oden	Stokes
Huddleston	McClendon	Perry	Summerlin
Hunt	McKay	Pirkle	Taylor
Jenkins	McLendon	Pruitt	Thomas
Johnson (Elmore)	McNider	Ramey	Vacca
Johnson (Tallapoosa)	Martin	Reynolds	Ward
Kaul	Mathews	Richardson	Windle
Kelly	Mathison		

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And the bill:

H. 79. To amend Section 204 of Title 26, 1940 Code of Alabama, as amended, the same pertaining to experience rating under the Unemployment Compensation Law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Kelly	Oden
Adams	Edwards (Jefferson)	Kendall	Payne
Albea	Ferrell	Killough	Perry
Ashworth	Franklin	Kirkham	Pirkle
Bagley	Gist	Lackey	Pruitt
Bassett	Goodwyn	Lee (Barbour)	Ramey
Boyd	Gregory	Lee (Lawrence)	Reynolds
Bradford	Grouby	Locke (Choctaw)	Richardson
Brannan	Hain	Locke (Perry)	Roberts
Branyon	Hall	Love	Selman
Brewer	Halton	McClendon	Shumate
Broadfoot	Hanby	McKay	Simon
Brown (Lamar)	Hardy	McLendon	Solomon
Brown (Lee)	Hare	McNider	Speaks
Burkhalter	Harrison	Martin	Steagall
Callahan	Harvey	Mathews	Stembridge
Cornett	Hawkins	Mathison	Stokes
Cox	Hodges	Meeks	Summerlin
Crook	Holliman	Molette	Taylor
Davis	Huddleston	Money	Thomas
Dawkins	Hunt	Murphy	Tyson
deGraffenried	Jenkins	Nettles	Vacca
Dement	Johnson (Elmore)	Nice	Ward
DeSear	Johnson (Tallapoosa)	Nolen	Windle
Dickson	Kaul	Oakley	Wood

—100

And the bill:

H. 80. To amend Section 185 of Title 26, 1940 Code of Alabama, as amended, the same pertaining to the definition of "employer" under the Unemployment Compensation Law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Kelly	Oden
Adams	Edwards (Jefferson)	Kendall	Payne
Albea	Ferrell	Killough	Perry
Ashworth	Franklin	Kirkham	Pirkle
Bagley	Gist	Lackey	Pruitt
Bassett	Goodwyn	Law	Ramey
Boyd	Gregory	Lee (Barbour)	Reynolds
Bradford	Grouby	Lee (Lawrence)	Richardson
Brannan	Hain	Locke (Choctaw)	Roberts
Branyon	Hall	Locke (Perry)	Selman
Brassell	Haltom	McClendon	Shumate
Brewer	Hanby	McKay	Simon
Broadfoot	Hardy	McLendon	Solomon
Brown (Lamar)	Hare	McNider	Speaks
Brown (Lee)	Harrison	Martin	Steagall
Callahan	Harvey	Mathews	Stembridge
Cornett	Hawkins	Mathison	Stokes
Cox	Hodges	Meeks	Summerlin
Crook	Holliman	Mollette	Taylor
Davis	Huddleston	Money	Thomas
Dawkins	Hunt	Murphy	Tyson
deGraffenried	Jenkins	Nettles	Vacca
Dement	Johnson (Elmore)	Nice	Ward
DeSear	Johnson (Tallapoosa)	Nolen	Windle
Dickson	Kaul	Oakley	Wood

—100

And the bill:

H. 81. To amend Section 224, Title 26, 1940 Code of Alabama, as amended, the same pertaining to the period and termination of employer's coverage under the Unemployment Compensation Law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Dawkins	Harvey	McClendon
Adams	deGraffenried	Hawkins	McKay
Albea	Dement	Hodges	McLendon
Ashworth	DeSear	Holliman	McNider
Bagley	Dickson	Huddleston	Martin
Bassett	Edwards (Escambia)	Hunt	Mathews
Boyd	Edwards (Jefferson)	Jenkins	Mathison
Bradford	Franklin	Johnson (Elmore)	Meeks
Brannan	Ferrell	Johnson (Tallapoosa)	Mollette
Branyon	Gist	Kaul	Money
Brassell	Goodwyn	Kelly	Murphy
Brewer	Gregory	Kendall	Nettles
Broadfoot	Grouby	Killough	Nice
Brown (Lamar)	Hain	Kirkham	Nolen
Brown (Lee)	Hall	Lackey	Oakley
Callahan	Haltom	Law	Oden
Cornett	Hanby	Lee (Barbour)	Payne
Cox	Hardy	Lee (Lawrence)	Perry
Crook	Hare	Locke (Choctaw)	Pirkle
Davis	Harrison	Locke (Perry)	Pruitt

Ramey	Shumate	Stembridge	Tyson
Reynolds	Simon	Stokes	Vacca
Richardson	Solomon	Summerlin	Ward
Roberts	Speaks	Taylor	Windle
Selman	Steagall	Thomas	Wood

—100

And the bill:

H. 82. To amend Section 225, Title 26, 1940 Code of Alabama, as amended, the same pertaining to employer's election under the Unemployment Compensation Law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Dickson	Kaul	Oakley
Adams	Edwards (Escambia)	Kelly	Oden
Albea	Edwards (Jefferson)	Kendall	Payne
Ashworth	Ferrell	Killough	Perry
Bagley	Franklin	Kirkham	Pirkle
Bassett	Gist	Lackey	Pruitt
Boyd	Goodwyn	Law	Ramey
Bradford	Gregory	Lee (Barbour)	Reynolds
Brannan	Grouby	Lee (Lawrence)	Richardson
Branyon	Hain	Locke (Choctaw)	Roberts
Brassell	Hall	Locke (Perry)	Selman
Brewer	Haltom	McClendon	Shumate
Broadfoot	Hanby	McKay	Simon
Brown (Lamar)	Hardy	McLendon	Solomon
Brown (Lee)	Hare	McNider	Speaks
Burkhalter	Harrison	Martin	Steagall
Callahan	Harvey	Mathews	Stembridge
Cornett	Hawkins	Mathison	Summerlin
Cox	Hodges	Meeks	Taylor
Crook	Holliman	Molette	Thomas
Davis	Huddleston	Money	Tyson
Dawkins	Hunt	Murphy	Vacca
deGraffenried	Jenkins	Nettles	Ward
Dement	Johnson (Elmore)	Nice	Windle
DeSear	Johnson (Tallapoosa)	Nolen	Wood

—100

And the bill:

H. 83. Relating to crimes and offenses: To make it a misdemeanor for any person to leave in any place accessible to children, abandoned, unattended, or discarded iceboxes, refrigerators and the like, without removing locks or doors from the same; to provide for punishment of such acts; to declare such iceboxes and the like public nuisances, and to provide for abatement of the same; to repeal all conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Bassett	Brassell	Brown (Lee)
Adams	Boyd	Brewer	Burkhalter
Albea	Bradford	Broadfoot	Callahan
Ashworth	Brannan	Brooks	Cornett
Bagley	Branyon	Brown (Lamar)	Cox

Crook	Hare	McClendon	Ramey
Davis	Harrison	McKay	Reynolds
Dawkins	Harvey	McLendon	Richardson
deGraffenried	Hawkins	McNider	Roberts
Dement	Hodges	Martin	Selman
DeSear	Holliman	Mathews	Shumate
Dickson	Huddleston	Mathison	Simon
Edwards (Escambia)	Hunt	Meeks	Speaks
Edwards (Jefferson)	Jenkins	Molette	Steagall
Ferrell	Johnson (Tallapoosa)	Money	Stembridge
Franklin	Kaul	Murphy	Stokes
Gist	Kelly	Nettles	Summerlin
Goodwyn	Killough	Nice	Taylor
Gregory	Kirkham	Nolen	Thomas
Grouby	Lackey	Oakley	Tyson
Hain	Law	Oden	Vacca
Hall	Lee (Barbour)	Payne	Ward
Haltom	Lee (Lawrence)	Perry	Windle
Hanby	Locke (Choctaw)	Pirkle	Wood
Hardy	Locke (Perry)	Pruitt	

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BILLS POSTPONED

On motion of Mr. Hawkins, consideration of the bills, H. 28 and H. 29, was postponed until the seventh legislative day.

And the bill:

H. 2. Relating to public health; making an appropriation of one hundred thousand dollars to the State Health Department to pay the cost of inoculating indigent children with the Salk vaccine for polio.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dement	Johnson (Elmore)	Nettles
Adams	Dickson	Johnson (Tallapoosa)	Nice
Albea	Edwards (Escambia)	Kaul	Nolen
Ashworth	Edwards (Jefferson)	Kelly	Oakley
Bagley	Ferrell	Killough	Oden
Bassett	Franklin	Kirkham	Payne
Boyd	Gist	Lackey	Perry
Bradford	Goodwyn	Law	Pirkle
Brannan	Gregory	Lee (Barbour)	Pruitt
Branyon	Grouby	Lee (Lawrence)	Ramey
Brassell	Hain	Locke (Choctaw)	Reynolds
Brewer	Hall	Locke (Perry)	Richardson
Broadfoot	Haltom	Love	Roberts
Brooks	Hanby	McClendon	Selman
Brown (Lamar)	Hardy	McKay	Shumate
Brown (Lee)	Hare	McLendon	Simon
Burkhalter	Harrison	McNider	Solomon
Callahan	Harvey	Martin	Speaks
Cornett	Hawkins	Mathews	Steagall
Cox	Hodges	Mathison	Stembridge
Crook	Holliman	Meeks	Stokes
Davis	Huddleston	Molette	Summerlin
Dawkins	Hunt	Money	Taylor
deGraffenried	Jenkins	Murphy	

Thomas
Tyson

Vacca
Ward

Windle

Wood

—101

MOTION TO ADJOURN LOST

The motion of Mr. Dawkins to adjourn until Tuesday, May 17, 1955, at ten o'clock A.M. was lost.

Yeas 34; Nays 61.

Yeas:

Mr. Speaker	Dement	Locke (Choctaw)	Selman
Bassett	Edwards (Escambia)	Locke (Perry)	Simon
Boyd	Ferrell	Love	Steagall
Brassell	Gregory	Mathews	Stembridge
Broadfoot	Hall	Mathison	Taylor
Brooks	Hawkins	Money	Tyson
Burkhalter	Holliman	Murphy	Ward
Cox	Kelly	Payne	Windle
Dawkins	Kirkham		

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Nays:

Messrs.	Gist	Kaul	Oakley
Adams	Goodwyn	Kendall	Perry
Albea	Grouby	Killough	Pirkle
Ashworth	Hain	Lackey	Pruitt
Bradford	Haltom	Law	Ramey
Branyon	Hanby	Lee (Barbour)	Reynolds
Brewer	Hardy	Lee (Lawrence)	Richardson
Brown (Lamar)	Hare	McClendon	Shumate
Brown (Lee)	Harrison	McKay	Solomon
Callahan	Harvey	McLendon	Speaks
Cornett	Hodges	McNider	Stokes
Crook	Huddleston	Martin	Summerlin
Davis	Hunt	Meeks	Thomas
Dickson	Jenkins	Nettles	Vacca
Edwards (Jefferson)	Johnson (Elmore)	Nolen	Wood
Franklin	Johnson (Tallapoosa)		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration: By Messrs. Givhan, Yarbrough (Randolph) and Moses:

S.J.R. 8. BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING, that we as members of the Senate and House of Representatives go on record at this time that we will not pass any additional revenue bills for any purpose except in case of State emergency until we have received the State School Budget and provided revenue measures for same.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The S.J.R. 8 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MOTION TO ADJOURN LOST

The motion of Mr. Davis to adjourn until Tuesday, May 17, 1955, at ten o'clock A.M. was lost.

Yeas 35; Nays 61.

Yeas:

Mr. Speaker	Cox	Law	Simon
Bassett	Davis	Locke (Choctaw)	Solomon
Boyd	deGraffenried	Love	Steagall
Branyon	Dement	Mathews	Stembridge
Brassell	Ferrell	Mathison	Taylor
Brooks	Hall	Money	Tyson
Brown (Lamar)	Hawkins	Murphy	Ward
Burkhalter	Kelly	Selman	Windle
Callahan	Kirkham	Shumate	

—35

Nays:

Messrs.	Gregory	Kendall	Nolen
Adams	Grouby	Killough	Oakley
Albea	Hain	Lackey	Oden
Ashworth	Haltom	Lee (Barbour)	Payne
Bradford	Hanby	Lee (Lawrence)	Perry
Brannan	Hardy	Locke (Perry)	Pirkle
Brewer	Hare	McClendon	Pruitt
Broadfoot	Harrison	McKay	Ramey
Brown (Lee)	Harvey	McLendon	Reynolds
Crook	Hodges	McNider	Richardson
DeSear	Holliman	Martin	Speaks
Dickson	Huddleston	Meeks	Stokes
Edwards (Jefferson)	Hunt	Molette	Summerlin
Franklin	Jenkins	Nettles	Vacca
Gist	Johnson (Elmore)	Nice	Wood
Goodwyn	Kaul		

—61

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 12. Relative to extending sympathy to the widow of Hon. Harry Oliver Taylor.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:
By Mr. Eddins:

S. 24. To alter and re-arrange the boundary lines of the City of Demopolis, Marengo County, Alabama, so as to include within the corporate limits of said City the territory described in Section One of this Bill.

With notice and proof thereto attached and herewith exhibited as follows:

A PROPOSED ACT

To alter and re-arrange the boundary lines of the City of Demopolis, Marengo County, Alabama, so as to include within the corporate limits of said City the territory described in Section One of this Bill:

Be It Enacted by the Legislature of Alabama:

Section One. That from and after the passage of this Act the boundary lines of the City of Demopolis shall be altered and re-arranged so as to include within the corporate limits of the City of Demopolis, Alabama, the territory hereinafter described, all of said territory lying and being situate in Marengo County, Alabama, to-wit:

Beginning at a point in the Northwest Quarter of Section Twenty-one, Township Eighteen North, Range Two East, Marengo County, Alabama, where the Western boundary line of the Demopolis Lock & Dam Reservation intersects the Southern boundary line of the Tombigbee River, which said point is the Northwest corner of the tract of land conveyed to the United States of America by deed dated April 24, 1950, and recorded in Deed Book 4-K at page 253, Office of the Judge of Probate of Marengo County, Alabama, thence south along said western boundary line of said Reservation to the point where it intersects the north boundary line of the County Road leading to McDowell Ferry, thence in a southeasterly and easterly direction along the north boundary line of said County Road and along the north boundary line of the Demopolis Lock & Dam Access Road to the point where said north boundary line of said Access Road intersects the West boundary line of the East Half of East Half of Section Twenty-two, Township Eighteen North, Range Two East; thence south along the West boundary line of East Half of East Half of Section Twenty-two and of East Half of East Half of Section Twenty-seven to the southwest corner of Southeast Quarter of Southeast Quarter of Section Twenty-seven, Township Eighteen North, Range Two East; thence East along south boundary line of said Section Twenty-seven and of Section twenty-six to a point eight hundred fifty feet west of the half section line running north and south through center of said Section Twenty-six; thence south along a line parallel to and eight hundred fifty feet west of the north and south half section line running through the center of Sections Twenty-six and Thirty-five to a point on south boundary line of U. S. Highway 80; thence continue south along said line to a point 1760 feet south of said south boundary of U. S. Highway 80; thence in a northeasterly direction along a line which is parallel to said south boundary of U. S. Highway 80 to a point where said parallel line intersects an east and west line 1320 feet north of south boundary line of Section Twenty-five, Township Eighteen North, Range Two East; thence East along a line parallel to the south boundary line of Section Twenty-five, Township Eighteen North, Range Two East, and south boundary line of Section Thirty, Township Eighteen North, Range Three East, and 1320 feet north thereof to a point 1782 feet west of East boundary of said Section Thirty, which said point is the southwest corner of Resurvey of "Edgewood Subdivision", as said Resurvey is shown on map thereof on record in Deed Book 4-N, page 458, office of the Judge of Probate of Marengo County, Alabama, thence in a southeasterly direction along a line parallel to the west boundary line of U. S. Highway 43 to a point where said parallel line intersects the west boundary line of East Half of East Half of Southwest Quarter of Section Thirty-two, Township Eighteen North, Range Three East, said west boundary line being the west boundary line of the New Cemetery of City of Demopolis, known as "Memorial Gardens"; thence south along said west boundary line of said East Half of East Half of Southwest Quarter of said Section Thirty-two to the point where it intersects the north boundary line of the St. Louis-San Francisco Railway Company right-of-way, said point being the southwest corner of

said "Memorial Gardens" Cemetery; thence in a northeasterly direction along said north boundary line of said Railway right-of-way to a point where it intersects the west boundary line of the old county road formerly leading from Demopolis to Spring Hill; thence Northerly along said west boundary line of said old County Road to a point where it intersects the south boundary line of U. S. Highway 80; thence north to a point 1200 feet north of North boundary line of U. S. Highway 80; thence in a westerly direction along a line 1200 feet north of and parallel to U. S. Highway 80 to a point 500 feet east of the west boundary of Section Twenty-nine, Township Eighteen North, Range Three East; thence north along a line parallel to said west boundary line of said Section Twenty-nine and the northern extension thereof to the south bank of the Tombigbee River; thence southerly, westerly and northerly along the meanders of said south bank of the Tombigbee River to a point where south bank intersects the north boundary line of Section Nineteen, Township Eighteen North, Range Three East; thence west along the north line of said Section Nineteen, and along the North line of Section Twenty-four, Township Eighteen North, Range Two East, to a point where said line intersects the west boundary line of Walnut Street, said point also being on the west boundary line of U. S. Highway 43; thence northerly along the west boundary line of U. S. 43 1320 feet, more or less, to a point where said west boundary line intersects the east and west line running along the north boundary of the south half of the south Half of Section Thirteen, Township Eighteen North, Range Two, East; thence west along said north boundary line 800 feet to a point; thence northwesterly in a straight line to the southeast corner of Lock & Dam 4 Reservation; thence in a northerly and westerly direction along the east and north lines of said reservation to the east bank of the Tombigbee River; thence in a southerly direction along the meanders of said east bank and southern bank of said Tombigbee River to the point of beginning.

Section Two: Be it further enacted that the territory described in Section One be and the same is hereby included within the corporate limits of the City of Demopolis, Alabama, a municipal corporation, in Marengo County, Alabama.

Section Three: Be it further enacted that all laws or parts of laws in conflict with this Act be and the same are hereby repealed.

Section Four: This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. G. George, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Demopolis Times, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 17, March 24, March 31, and April 7, all in the year 1955.

B. G. GEORGE.

Sworn to and subscribed before me April 17, 1955.

JEROME M. LEVY,
Notary Public.

Also:

By Mr. Leonard:

S. 36. Relating to Talladega County: To provide that any person who was registered as an elector of Talladega County prior to January 1, 1955, whose name appeared on the list of registered electors of said county on that date, who has not removed, died, or become disqualified, as provided by law, shall be conclusively presumed to be a qualified elector of said county.

With notice and proof thereto attached and herewith exhibited as follows:

State of Alabama,
County of Talladega

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Talladega County: To provide that any person who was registered as an elector of Talladega County prior to January 1, 1955, whose name appeared on the list of registered electors of said county on that date, who has not removed, died, or become disqualified, as provided by law, shall be conclusively presumed to be a qualified elector of said county.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any person who was registered as an elector of Talladega County prior to Jan. 1, 1955, whose name appeared on the list of registered electors on that date, who has not removed, died, or become disqualified, as provided by law, shall be conclusively presumed to be a qualified elector of said county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Cecil Hornady, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Talladega News, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper of Feb. 24, March 3, March 10, and March 17, all in the year 1955.

CECIL HORNADY,
Editor and Publisher.

Sworn to and subscribed before me April 13, 1955.

SUE S. SUMMERLIN,
Notary Public.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 24. Local Legislation No. 1.

S. 36. Local Legislation No. 1.

BILLS ON THIRD READING RESUMED

On motion of Mr. Hawkins the bill

H. 32. To provide for the examination and audit periodically of the books, accounts, vouchers and records of State, County and City officers and offices, bureaus, boards, commissions, institutions and departments and to recreate in the Department of Finance the Division of Examiners of Public Accounts; and to abolish the Department of Examiners of Public Accounts; to transfer the functions, funds, books, records, furniture, fixtures, supplies and equipment from the Department of Examiners of Public Accounts to the Department of Finance; to provide for the personnel requirements for the activity authorized by this Act: to provide for an Assistant Director of Finance to supervise the examinations and audits of county and municipal officers and offices, bureaus, boards, commissions, institutions and departments; and to require the Budget Officer to maintain current examinations of the books, accounts, vouchers and records of the State officers and offices, bureaus, boards, commissions, institutions and departments and to provide additional compensation therefor: and to repeal all acts contrary to the provisions of this Act and especially Act No. 351, (General Acts of Alabama 1947, page 231), approved August 15, 1947; Act No. 353 (General Acts of Alabama 1951, page 640) approved August 3, 1951; Act No. 62 (5th Special Session 1950, page 124) approved November 1, 1950; Act No. 917 (General Acts of Alabama 1951, page 1568) approved September 12, 1951; Act No. 791 (General Acts of Alabama 1953, page 1085) approved September 19, 1953; Act No. 100 (General Acts of Alabama 1943, page 105) approved June 8, 1943; and Act No. 194 (General Acts of Alabama 1945, page 318) approved June 29, 1945.

was indefinitely postponed.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Broadfoot	deGraffenried	Hain
Adams	Brooks	Dement	Hall
Albea	Brown (Lamar)	DeSear	Haltom
Ashworth	Brown (Lee)	Dickson	Hanby
Bassett	Burkhalter	Edwards (Escambia)	Hardy
Boyd	Callahan	Edwards (Jefferson)	Hare
Bradford	Cornett	Ferrell	Harrison
Brannan	Cox	Franklin	Harvey
Branyon	Crook	Gist	Hawkins
Brassell	Davis	Gregory	Hodges
Brewer	Dawkins	Grouby	Holliman

Huddleston	Locke (Perry)	Nice	Simon
Hunt	Love	Nolen	Solomon
Jenkins	McClendon	Oakley	Speaks
Johnson (Elmore)	McKay	Oden	Steagall
Johnson (Tallapoosa)	McLendon	Payne	Stembridge
Kaul	McNider	Perry	Stokes
Kelly	Martin	Pirkle	Summerlin
Kendall	Mathews	Pruitt	Taylor
Killough	Mathison	Ramey	Thomas
Kirkham	Meeks	Reynolds	Tyson
Lackey	Molette	Richardson	Vacca
Law	Money	Roberts	Ward
Lee (Barbour)	Murphy	Selman	Windle
Lee (Lawrence)	Nettles	Shumate	Wood
Locke (Choctaw)			

—101

And the bill:

H. 33. (with substitute): To authorize the Governor, the Director of Finance, and the Attorney General to become a public corporation for the purpose of acquiring land from the State or otherwise upon which it shall, at a cost not to exceed five million dollars, construct, operate and maintain, or cause to be constructed, operated and maintained, an office building or buildings, the space therein to be rented to any department, board, bureau, commission, or agency of the State; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to provide for the lease to and by departments, boards, bureaus, commissions, and agencies of the State of space for occupancy in said building or buildings; and to provide that any properties of the corporation and the income therefrom and any securities issued and the income therefrom and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL TO BE ENTITLED AN ACT

To authorize the Governor, the Director of Finance, and the Attorney General to become a public corporation for the purpose of acquiring land from the State or otherwise upon which it shall, at a cost not to exceed five million dollars, construct, operate and maintain, or cause to be constructed, operated and maintained, an office building or buildings, the space therein to be rented to officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United

States; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to provide for the lease to and by officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States of space for occupancy in said building or buildings; and to provide that any properties of the corporation and the income therefrom and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Legislative Intent.—It is the intent of the Legislature by the passage of this Act to authorize the incorporation of the Governor, the Director of Finance, and the Attorney General as a public corporation for the sole purpose of constructing, erecting, operating and maintaining, or contracting for the construction, erection, operation and maintenance of a State office building or buildings, the cost of which shall not exceed five million dollars, and to vest such corporation with all powers, authority, rights, privileges, and titles that may be necessary to enable it to accomplish such purpose, including the appropriation and pledge of funds for the use of such corporation. This Act shall be liberally construed in conformity with the purpose expressed.

Section 2. Authority to Incorporate.—The Governor, the Director of Finance, and the Attorney General may become a corporation with the powers and authority hereinafter provided, by proceeding according to the provisions of this Act.

Section 3. Proceeding to Incorporate.—To become a corporation, the Governor, the Director of Finance, and the Attorney General shall present to the secretary of State of Alabama an application signed by them which shall set forth: (a) the names, official designations and official residences of the applicants together with a certified copy of each of the commissions evidencing their right to office; (b) the date or dates they were respectively inducted into office and the term of offices of each of the applicants; (c) the name of the proposed corporation (which shall be Alabama Building Authority if such name is available for use by the corporation, but if not available, then the applicants shall designate some other name that is available); (d) the location of the principal office of the proposed corporation; and (e) any other matter relating to the incorporation which the applicants may choose to insert and which shall not be inconsistent with this Act or the laws of the State of Alabama. The application shall be subscribed and sworn to by each of the applicants before an officer authorized by the laws of the State of Alabama to administer oaths. The Secretary of State shall examine the application and, if he finds that the name proposed for the corporation is not identical with that of a person or other corporation in this State, or so nearly similar thereto as to lead to confusion and uncertainty, he shall receive and file it in an appropriate book of record in his office.

Section 4. Certificate of Incorporation.—When the application has been made, filed, and recorded, as herein provided, the applicants shall

constitute a corporation under the name proposed in the application. The Secretary of State shall make and issue to the applicants a certificate of incorporation, pursuant to this Act, under the Great Seal of the State, and shall record the same with the application. There shall be no fees paid to the Secretary of State for any work in connection with the incorporation or dissolution of the corporation so organized (which for convenience, is hereinafter in this Act referred to as "The Corporation").

Section 5. Members, Officers and Directors of the Corporation.—The applicants named in the application and their respective successor or successors in office shall constitute the members of the corporation. The Governor shall be the president of the corporation, the Director of Finance shall be treasurer, and the Attorney General shall be the secretary. The said members shall constitute all the members of the Board of Directors of the corporation and any two members shall constitute a quorum for the transaction of business. Should any officer or director die or should his term of office expire or should he resign therefrom, his successor in office shall take his place as an officer and director of the corporation. No member, officer or director of the corporation shall draw any salary, in addition to that now authorized by law, for any services he may render or any duties he may perform in connection with the corporation. All proceedings had and done by the Board of Directors shall be reduced to writing by the secretary of the corporation and recorded in a well-bound book. Copies of such proceedings, when certified to by the secretary of the corporation under the seal of the corporation, shall be received in all courts as prima facie evidence of the matter and things therein certified.

Section 6. Corporate Powers.—The corporation shall have the following powers: (1) to have succession by its corporate name until dissolved as hereinafter provided; (2) to sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties; (3) to have and use a corporate seal and to alter the same at pleasure; (4) to acquire from the State of Alabama, or by gift, grant, purchase or otherwise, and hold title to, land in the City of Montgomery as hereinafter provided, together with all rights incidental to its estate in such property; (5) to construct or erect (under the supervision and direction of the Building Commission as hereinafter provided) operate, insure, and maintain or to contract for the operation, insurance and maintenance of the building or buildings of the corporation, together with all the rights incidental to such construction, operation, and maintenance; (6) from time to time to borrow money not exceeding in the aggregate five million dollars and from time to time to issue (and do all things incidental to the issuance of) its bonds or other evidences of indebtedness; (7) as security for the payment of the principal of and interest on any money so borrowed, to enter into any lawful covenants, to pledge the revenues from the sources herein provided for and to execute any instrument or instruments of nonforeclosable deeds of trust and mortgages upon its properties; (8) to contract, lease, and make lease agreements as hereinafter provided including leases with any department, commission, board, or agency of the State for the use and occupation of all or any part of the office building or buildings constructed and operated by it; and, (9) after the completion of the building or buildings, to employ such employees and agents as the business of the corporation may require, subject to the Merit System, and where the services of State employees are required in addition to their regular duties, they may receive additional compensation therefor from the corporation.

Section 7. Borrowing by the Corporation.—All bonds or other evidences of indebtedness (which are collectively herein in this Act

referred to as "securities") of the corporation shall be signed by its president or treasurer, and the seal of the corporation shall be impressed thereon and attested by its secretary. Any pertinent interest coupons annexed to the securities of the corporation shall be signed by the president, but a facsimile of the president's signature may be impressed on any such interest coupons in lieu of his signing the same. If any officer duly authorized thereunto, after signing any such securities or the interest coupons thereunto appertaining, manually or by facsimile, shall for any reason vacate said office, nevertheless said securities and interest coupons may be delivered any time thereafter as the act and deed of the corporation. Any securities of the corporation may be executed and delivered by it at any time in such form and denomination and of such tenor and maturities, (said maturities shall be serial but the corporation shall have discretion as to the amount to mature each year) with such provisions not inconsistent herewith, and bear such rate or rates of interest payable and evidenced in such manner as may be provided by resolution of the Board of Directors. Said securities may be redeemed at such time, in such manner and upon such notice and interest premium as may be provided in the resolution adopted by the Board of Directors under which said securities shall be issued. Said securities may be in bearer form with interest coupons or registered as to principal and interest, or may be registered as to principal only, and upon surrender and endorsement or assignment, may be exchanged for a like bearer or registered security for a reasonable fee and upon such signature guarantees and other assurances as the corporation may prudently require. Such borrowing may be effected either by sale of such securities at private or public sale in such manner and at such price or prices and at such time or times as may be determined by the Board of Directors to be most advantageous, provided, that no sale of such securities shall be for a price less than the equivalent of par value computed on an interest rate not to exceed four per centum per annum plus accrued interest, if any, to the date of delivery. Any securities so issued by the corporation may thereafter from time to time be refunded by the issuance and sale or exchange of refunding securities of the corporation on such terms as may be agreed on by the corporation and the holders of the securities so refunded, if such refunding is by exchange, and as may be determined by the corporation if such refunding is by sale of such refunding securities; provided, that the holders of any securities to be refunded shall not be compelled without their consent to surrender their securities for payment or exchange prior to the date on which they are payable or, if they are called for redemption, prior to the date on which they may be redeemed by the corporation under their provisions. Holders of refunding securities shall be subrogated and entitled to all priorities, rights and pledges to which the holders of securities refunded or purchased with the proceeds of refunding securities were entitled.

Section 8. Properties and Securities of the Corporation.—The properties of the corporation and the income therefrom and all lease agreements made by the corporation shall be forever exempt from any and all forms of taxation in the State of Alabama. All securities issued by the corporation shall be construed to be negotiable instruments exempt from all taxation in the State of Alabama as to principal and income. All debts assumed or created by the corporation and all securities issued by it shall be solely and exclusively an obligation of the corporation and shall not create an obligation or debt of the State of Alabama.

Section 9. Securities of the Corporation as Security for State Deposits and Investments.—Any securities issued by the corporation may be used by the holders thereof as security for deposits of any funds belonging to the State or to any instrumentality or agency of the State in any instance where security for such deposits may be required by

law. Any surplus in any State fund and any retirement and/or trust fund, wherein the investment thereof is provided by law, may be invested in the securities issued by the corporation.

Section 10. Use of Proceeds from Sale of Securities.—All proceeds derived from the sale of any securities (except refunding securities) sold by the corporation shall be turned over to the State Treasurer and shall be carried by him in a special account to the credit of the corporation and shall be subject to be drawn on by the corporation solely for the purposes of constructing, erecting, and equipping an office building or buildings and all reasonable and necessary expenses incidental thereto and to the issuance of said securities, including interest which shall accrue on said securities during the construction of said building or buildings and for a period not exceeding six months thereafter. Any balance in said account shall, upon completion of the building or buildings and the payment of all costs, be transferred to the redemption and sinking fund account of the corporation, and no additional securities of the corporation shall thereafter be authorized, except refunding securities as herein authorized. The reasonable and necessary expenses incidental to the construction of any such new building shall, if deemed advisable by the corporation, include all or any part of the expense of providing adequate housing, during the construction of such new building, for any State agencies using any building or other structure which is demolished for the purpose of providing a suitable site for the construction of any such new building.

Section 11. Construction of Buildings.—The buildings shall be constructed (under plans and specifications of architects or engineers selected by the Building Commission) for the corporation under the supervision and direction of the Building Commission of 1945 (created under Act No. 128, approved June 16, 1945), or any agency designated by the Legislature as its successor, upon award for each part of the work to the lowest responsible bidder after advertising for receipt and public opening of sealed bids, provided that in determining the lowest responsible bidder the invitations for bids and bidding documents shall be so arranged that any alternates from the base bid shall constitute cumulative deductions from the base bid and in determining the lowest bidder, if the funds are insufficient to construct the building on the lowest base bid, then the commission may proceed to consider the bids upon the basis of the base bids of all bidders minus the respective reductions stated for the first alternate, and if the lowest bid so determined is not then within the funds available, the commission shall proceed to consider the base bid minus the first and second alternates together to determine the lowest bid, and in like manner throughout all alternates, if need be, so that in no event shall there be any discretion as to which alternate or alternates will be used in determining the lowest responsible bidder. All such contracts shall be lump sum contracts. All contracts for the entire work shall be awarded at the same time but notice to proceed may be withheld until prior work under another contract has progressed to a point where the joint or following work can best be coordinated for the earliest completion of the entire project in a sound and workmanlike manner. The contract shall be executed by the corporation upon the determination of the Commission as to the lowest bidders, respectively. Payments made by the corporation under the construction contracts shall be upon the contractor's written sworn request only if endorsed as approved by the Commission or in any lesser amount the Commission shall endorse as having been then earned on said contract. The corporation and the Commission shall agree to a construction cost estimate including reimbursement to the Commission of its reasonable direct costs in having plans, specifications and contract documents prepared and in supervising and inspecting the work. After the contracts have been awarded such construction cost estimate shall be

revised and all extras on the contracts shall be awarded within the funds available. Upon the effective date of this Act the Commission shall proceed with preparation of plans, specifications and bidding documents so that bids may be asked as near to ninety days after the effective date hereof as is possible.

Section 12. Conveyance to Corporation by State.—The Governor of Alabama is authorized and directed to execute and deliver immediately before or simultaneously with the issuance of the first block of the securities of the corporation an appropriate deed conveying to the corporation any land belonging to the State adjacent to, or in the vicinity of the Capitol Building block, situated in the City and County of Montgomery, Alabama.

Upon delivery of such deed to the corporation it thereby shall be invested with all rights that the State of Alabama had in the property conveyed thereby subject to the right of reverter to the State upon the dissolution of the corporation. The consideration for said conveyance shall be the corporation's undertaking to reconvey said land with improvements free of charge to the State immediately before the dissolution of the corporation. Since said land would otherwise remain unimproved, said consideration is hereby conclusively determined to be valuable, adequate and fair. Immediately prior to its dissolution the corporation shall also convey to the State any other lands acquired for construction of buildings thereon whether by purchase, gift, grant or otherwise provided the terms of the grant are not violated thereby.

Section 13. Revenues of the Corporation.—For the purpose of providing funds for the payment of the costs and expenses necessary to accomplish the purpose of this corporation and for the payment of the principal of and interest on any securities issued by the corporation under the provisions of this Act, there is hereby created and irrevocably pledged to the payment of such obligations a special and continuing trust fund which shall consist of all receipts and income from rents contracted for and received by the corporation. There is hereby created within said special and continuing trust fund a redemption and sinking fund account of said corporation in the State Treasury in which shall be placed as a trust fund and held separate and apart from all other monies of the State or of the corporation, first, any monies left over after the completion of the building and the payment of all costs in connection therewith and in connection with the issuance of the securities and, second, all excess rentals and other surplus income after the payment of all annual charges in each fiscal year, including principal and interest. Said redemption and sinking fund shall be held by the State Treasurer in trust for the corporation and the holders of its securities and may be invested only in securities which are either direct obligations of the United States of America or fully guaranteed as to principal and interest by the United States of America. Said redemption and sinking fund shall be used to pay, when due and payable, any payment of principal and interest or both on the outstanding securities of the corporation which cannot be met out of current revenues or other monies of the corporation. Said funds shall not be diverted or used for any other purpose. There is hereby created in said special and continuing trust fund an account thereof in which shall be deposited, segregated and held only the amounts reasonably estimated to be necessary for the maintenance, operation and upkeep of said buildings with all excess monies at the end of each fiscal year being transferred to the redemption and sinking fund.

Section 14. Pledge and Lien for Benefit of Securities.—In the proceedings authorizing the issuance of any of its securities, the corporation is hereby authorized and empowered to pledge for the payment of the principal and interest on such securities, as the said princi-

pal and interest shall respectively mature, and to agree to use solely for such purpose all the revenues which under the provisions of Section 13 hereof are appropriated and pledged, or authorized to be pledged, for the payment of the said principal and interest. In said proceedings the corporation may further provide and create a statutory lien as security for the payment of said principal and interest upon the buildings and properties. Such statutory lien shall not be subject to foreclosure and, in the event of default in the payment of any such principal or interest, the remedies thereunder shall be limited to a remedy by way of mandamus and to the appointment, as a matter of right, by any court having equity powers and having jurisdiction over the corporation, of a receiver in equity with all the powers of such a receiver. Upon the issuance of any securities pursuant to this Act the corporation shall file in the office of the Judge of Probate of Montgomery County, Alabama, an instrument reciting the issuance of such securities and the pledge of said revenues and the creation of said statutory lien as security therefor, and the filing of such instrument shall constitute constructive notice of said pledge and lien.

Section 15. State Treasurer to Disburse Funds.—Out of the revenues so appropriated and pledged, or authorized to be pledged in Section 13 hereof, the State Treasurer is authorized and directed to pay the principal of and interest on the securities issued and the obligations assumed by the corporation under the provisions of this Act, as such principal and interest shall respectively mature, and he is further authorized and directed to set up and maintain appropriate records pertaining thereto.

Section 16: Terms and Conditions of Leasing by Corporation.—The corporation and the Commissioner of Revenue for the Department of Revenue, the Director of Conservation for the Department of Conservation, and the Adjutant General for the Military Department, or their successors in office or duties, are hereby authorized and directed to enter into a lease or leases for the use and occupancy of offices and storage space of said buildings. Should the space therein not be filled by such use and occupancy, then the remaining space may be leased by the corporation to any other officers, agencies, boards, commissions, corporations, or bureaus of the State of Alabama or of the United States. Such other officers, agencies, boards, commissions, corporations, or bureaus are hereby separately authorized and directed to enter into lease-agreements for the use and occupancy of any remaining space in the said buildings. The corporation may also enter into leases with individuals with respect to concession space such as that for a cafeteria, lunch room, or vending machines, if it shall determine that such concessions will not interfere with, but will better serve, the occupancy of said office buildings by the boards, bureaus, agencies, commissions, departments, offices and instrumentalities of the State. No free space shall be available in said buildings so long as the corporation's securities and interest thereon including extensions or refundings remain unpaid. Should any space become vacant in said buildings, then no officer, agency, board, bureau, commission, or other authority of the State of Alabama shall rent any further space or renew any lease for space in or about the City of Montgomery for office use or storage space until after all of the vacant space in said buildings shall have been filled: Provided, that the foregoing restrictions shall not apply to storage space only if the Directors of said corporation and the Governor agree that the space in said buildings is not suitable for the use of any agency desiring to lease other space. It is hereby covenanted that no building hereafter built shall be required to be occupied by any such State agency other than the agency for which such later constructed building is expressly built until the space in the buildings herein authorized is filled, and that whenever space in said building is, or about to become, vacant,

uneconomic reconditioning of other office quarters will not be undertaken if leasing space in the buildings is more advantageous to the agency in question.

Such leases with any such State agency shall be in such form as not to constitute a debt of the State of Alabama and, only to the extent and only so long as now contrarily prohibited. Any such lease may contain and grant to the lessee therein successive options of renewing the said lease on the terms specified therein for any subsequent fiscal year provided that liability for the payment of the rent shall never be for a term longer than one fiscal year. Any such lease may contain appropriate provisions as to the method by which the lessee may, at its election, exercise any of the said options of renewal. Any grants received by any such agency from the federal government for the making of rental payments, to the fullest extent permitted by the conditions thereto attached, shall be held in the State Treasury in a special account to be automatically transferred, when available, to the special trust fund of the corporation. To the extent that there is any State appropriation for the rental of the space so represented by a Federal grant, said State appropriation shall lapse pro tanto for the period of rental payment represented by said Federal grant.

If at any time there is, or about to be, vacant space in the said buildings and no State agency is able to take it, then, but only in such event, in order to prevent default under its securities, the corporation is hereby authorized to enter into leases with any county or municipal corporation or other public body including the federal government, or, if such public authorities have no need for such space, then with private persons, firms, corporations or associations for office purposes only, pursuant to and subject to such rules and regulations as to occupancy as may be adopted by the corporation. Any such lease with a public authority or with a private person, firm, corporation or association shall not be for any purpose or effect of competing with private enterprise nor for lending public credit but solely for the use and benefit of the holders of the corporation's securities to avoid default and to insure the prompt payment of principal and interest when due, and the charges made for space leased to them shall be only such as shall be sufficient to pay said principal and interest and the costs of operating, maintaining and insuring said buildings.

All such leases shall be based upon a rental rate (established by resolution of the Corporation) commensurate with the commercial rates for similar space in a building of like character in the City of Montgomery and shall take into consideration the advantages of any improvements or devices such as air conditioning. Provided, that, if any Federal grant to or for a State agency shall be conditioned upon a cessation of "shelter rent" (i. e. an amount equivalent to the prorated amortization of all principal and interest for the space occupied in relation to all tenanted space for time to time) then such cessation may be granted after, but only after, the prorated space has been proportionately fully amortized and prorated interest paid, so long as said federal condition subsists, but nevertheless a rental payment for the fair cost of operation, maintenance and repair and any other running expenses shall continue.

Rental payments by State agencies shall be due in advance on the first day of the fiscal year and shall upon being so paid entitle the agency to quiet possession and maintenance, repairs, utilities and other customary office building services, as agreed on for the remainder of said fiscal year. The rental payment for the first year or part of a year shall be due and payable when the corporation notifies the tenant agency that the space is tenantable with rent prorated for the remainder of the then current fiscal year.

Section 17. Validity of Securities.—Any resolution authorizing any securities hereunder shall contain a recital that they are issued pursuant to the provisions of this Act, which recital shall be conclusive evidence that said securities have been duly authorized pursuant to the provisions of this Act, notwithstanding the provisions of any other bond laws or any other law now in force or hereafter enacted or amended. Upon the passage of any resolution providing for the issuance of securities under the provisions of this Act, the corporation may, in its discretion, cause to be published once in each of two consecutive weeks in a newspaper published and having general circulation in the City of Montgomery, a notice in substantially the following form (the blanks being first properly filled in):

"The Alabama Building Authority (An Agency of the State of Alabama), on the.....day of, 19....., passed a resolution providing for the issuance of.....dollars of office building securities of said corporation. Any action or proceeding questioning the validity of said resolution or said securities or the pledge made therefor, or the proceedings under which said securities and pledge were authorized, must be commenced within twenty days after the first publication of this notice.

Alabama Building Authority

By:.....
Its President."

Any action or proceeding in any court to set aside a resolution providing for the issuance of bonds under the provisions of this Act or to contest the validity of any such securities, or the validity of the pledge made therefor, to secure the same, must be commenced within twenty (20) days after the first publication of said notice. After the expiration of such period, no right of action or defense founded upon the validity of the resolution or other proceedings, if any, or of the securities, or pledge, shall be asserted, nor shall the validity of such resolution, proceedings, or securities be open to question in any court upon any ground whatever, except in an action or proceeding commenced within such period. Any such action and any action to protect or enforce any rights under the provisions of this Act shall be brought in the Circuit Court of Montgomery County, in Equity.

Section 18. Dissolution of the Corporation.—When all securities issued by the corporation and all obligations assumed by it under the provisions of this Act shall have been paid in full, the then president of the corporation shall thereupon execute and deliver in the name of and in behalf of the corporation an appropriate deed, to which the seal of the corporation shall be affixed and attested by the secretary of the corporation, whereby there shall be conveyed to the State all the buildings and other properties theretofore conveyed to the corporation. The then officers and directors of the corporation shall at such time file with the secretary of state a written statement, subscribed and sworn to by them, reciting the payment in full of all securities theretofore issued and assumed by the corporation and the execution and delivery of such deed to the State which statement shall be filed by the secretary of state and recorded with the certificate of incorporation of the corporation, whereupon the corporation shall stand dissolved.

Section 19. Severability Clause.—In the event any section, sentence, clause or provision of this Act shall be declared invalid by any court of competent jurisdiction, such action shall not affect the validity of the remaining sections, sentences, clauses, or provisions of this Act, which shall continue effective.

Section 20. Effective Date.—This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted:

Yeas 74; Nays 4.

Yeas:

Mr. Speaker	deGraffenried	Kelly	Nice
Adams	Dement	Kendall	Nolen
Ashworth	Edwards (Escambia)	Killough	Oden
Bassett	Ferrell	Kirkham	Payne
Boyd	Franklin	Lackey	Pirkle
Bradford	Gist	Law	Pruitt
Brannan	Gregory	Lee (Barbour)	Ramey
Brassell	Grouby	Lee (Lawrence)	Reynolds
Brewer	Hain	Love	Selman
Broadfoot	Hall	McClendon	Shumate
Brooks	Haltom	McKay	Simon
Brown (Lamar)	Hare	McLendon	Solomon
Burkhalter	Harrison	McNider	Steagall
Callahan	Hodges	Mathews	Stokes
Cornett	Holliman	Mathison	Thomas
Cox	Huddleston	Meeks	Tyson
Crook	Hunt	Murphy	Windle
Davis	Jenkins	Nettles	Wood
Dawkins	Johnson (Tallahpoosa)		

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Nays: Messrs. Johnson (Elmore), Kaul, Molette and Perry.

—4

And said bills, H. 33, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Nays: Messrs. Johnson (Elmore), Kaul, Molette and Perry.

Yeas:

Mr. Speaker	Edwards (Escambia)	Kendall	Oden
Adams	Ferrell	Killough	Payne
Ashworth	Franklin	Kirkham	Pirkle
Bassett	Gist	Lackey	Pruitt
Bradford	Goodwyn	Lee (Barbour)	Ramey
Branyon	Gregory	Lee (Lawrence)	Reynolds
Brassell	Grouby	Love	Richardson
Brewer	Hain	McKay	Selman
Broadfoot	Hall	McLendon	Shumate
Brooks	Haltom	McNider	Simon
Brown (Lamar)	Hare	Martin	Solomon
Burkhalter	Harrison	Mathews	Speaks
Callahan	Harvey	Mathison	Stokes
Cornett	Hawkins	Meeks	Taylor
Cox	Hodges	Molette	Thomas
Davis	Holliman	Murphy	Tyson
Dawkins	Huddleston	Nettles	Vacca
deGraffenried	Hunt	Nice	Windle
Dement	Johnson (Tallahpoosa)	Oakley	Wood
Dickson	Kelly		

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Nays:

Messrs.	DeSear	Johnson ^(Elmore)	Nolen
Albea	Hanby	Kaul	Perry
Boyd	Jenkins		

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MOTIONS TO ADJOURN LOST

Mr. Solomon moved that the House adjourned until Tuesday, May 17, 1955, at ten o'clock A. M.

Mr. Johnson (Tallapoosa) offered as a substitute, a motion to adjourn until Tuesday, May 17, 1955, at twelve o'clock, noon.

The motion of Mr. Johnson (Tallapoosa) to adjourn until Tuesday, May 17, 1955, at twelve o'clock, noon, was lost.

And the motion of Mr. Solomon to adjourn until Tuesday, May 17, 1955, at ten o'clock A. M. was lost.

CERTIFICATE OF CLERK

The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:30 A. M. on May 13, 1955:

H. J. R. 9

H. J. R. 10

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Davis the House adjourned until Tuesday, May 17, 1955, at eleven o'clock A.M.

FIFTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, May 17, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Crawford Howell, Minister of Education, First Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Bradford	Brooks	Cox
Adams	Brannan	Brown ^(Lamar)	Crook
Albea	Branyon	Brown ^(Lee)	Davis
Ashworth	Brassell	Burkhalter	deGraffenried
Bassett	Brewer	Callahan	Dement
Boyd	Broadfoot	Cornett	

DeSear	Hodges	McKay	Reynolds
Dickson	Holliman	McLendon	Richardson
Edwards (Escambia)	Huddleston	McNider	Roberts
Edwards (Jefferson)	Hunt	Martin	Selman
Faulk	Jenkins	Mathews	Shumate
Ferrell	Johnson (Elmore)	Mathison	Simon
Franklin	Johnson (Tallapoosa)	Meeks	Solomon
Gist	Kaul	Molette	Speaks
Goodwyn	Kelly	Money	Steagall
Gregory	Kendall	Murphy	Stembridge
Grouby	Killough	Nettles	Stokes
Hain	Kirkham	Nice	Summerlin
Hall	Lackey	Nolen	Taylor
Haltom	Law	Oakley	Thomas
Hanby	Lee (Barbour)	Oden	Tyson
Hardy	Lee (Lawrence)	Payne	Vacca
Hare	Locke (Choctaw)	Perry	Ward
Harrison	Locke (Perry)	Pirkle	Windle
Harvey	Love	Pruitt	Wood
Hawkins	McClendon	Ramey	

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the journal of the fourth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested.

S. J. R. 7. Expressing thanks and appreciation to Senator Jas. S. Coleman, Jr., and Representatives Reginald Richardson and Charles S. Ramey and the people of Hale County for their hospitality extended in the barbecue of Wednesday, May 11, at Greensboro.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H.J.R. 12. Relative to extending sympathy to the family of the late Honorable Harry Oliver Taylor, former member of the House of Representatives from Butler County.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Mr. Albea:

H.J.R. 14. WHEREAS the late Howard L. Bagley served in this House of Representatives as Representative from Calhoun County with honor and distinction until the date of his untimely death on May 13, 1955, and

WHEREAS he was active in civic, fraternal and religious affairs in his community, and

WHEREAS his death is deeply mourned by the members of the Legislature;

NOW, THEREFORE, be it resolved by the House of Representatives, the Senate Concurring:

1. The members of the Legislature deeply mourn the passing of their fellow colleague and that each member of this Legislature feels a great sense of personal loss.

2. The sympathy of the people of Alabama through their Legislative Representatives is hereby extended to the widow, the children and other bereaved relatives of the deceased.

3. That a separate page of the Journals of each House be set apart for the preservation of this joint resolution and as a memorial to the memory of the Honorable Howard L. Bagley.

4. The Clerk of the House is directed to transmit duly authenticated copies of this resolution to the widow, Mrs. Cora Lee Bagley and daughters, Miss Jean Bagley and Mrs. Charlotte Bagley Watson.

On motion of Mr. Albea the rules were suspended and H.J.R. 14 was adopted.

NOTICE IN WRITING

Mr. Stokes offered the following Notice in Writing:

Notice is hereby given that on a later day, but not later than the fifteenth legislative day, a joint resolution will be introduced proposing the creation of a joint committee to make a survey of the operations of the various state departments, boards, bureaus, commissions, and other agencies, with a view to recommending legislation providing for such reorganization of state government as may be necessary or desirable to promote economy and efficiency in the operation of state administrative agencies.

NOTICE IN WRITING BY MR. STOKES

Received, read and ordered filed.

RESOLUTION

The following resolution was introduced:

By Messrs. Lee (Barbour), Solomon, Thomas and Stokes:

H.J.R. 15. Joint Resolution requesting the Public Service Commission to investigate the United Telephone and Telegraph Company and the Clio Telephone Company to determine whether the service provided by such companies is adequate or obtainable.

Whereas the law provides that the rates and charges for services rendered the public by utilities shall be reasonable and just, and so fixed that the utility will be able at all times to fully perform its duties to the public; and

Whereas the rates and charges approved for the United Telephone and Telegraph Company and the Clio Telephone Company, two utilities currently operating under a common management, have been so fixed that such companies are able to provide adequate service to the public they are authorized to serve, but they have failed to provide adequate service, and rural service in the area is practically unobtainable: therefore,

Be it resolved by the House of Representatives, the Senate concurring, that the Alabama Public Service Commission be requested to make an immediate investigation of the operations of the United Telephone and Telegraph Company, and of the Clio Telephone Company, as authorized by Article 2 of Chapter 1, Code of Alabama (1940), with a view to determining whether said companies are providing adequate service to the public in the areas they are authorized to serve; that all hearings be open to the public and be held in the area served by said companies, after notice thereof shall have been given as prescribed by law.

Resolved further, that the Clerk be directed to send forthwith a duly authenticated copy of this resolution to the President of the Alabama Public Service Commission.

On motion of Mr. Stokes the rules were suspended and H.J.R. 15 was adopted.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama

State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to the State Budget.

Respectfully submitted,
O. H. FINNEY, JR.,
Executive Secretary

May 17, 1955

To the Legislature of Alabama

State Capitol
Montgomery, Alabama

Gentlemen:

The General Fund Budget is based upon the transfer of many functions from an earmarked status to a General Fund Financing Plan. The

receipts which were formerly earmarked for these particular functions have been included in the General Fund estimates of revenue and appropriations to run these departments, boards and bureaus are to be made from the General Fund. This is one of the most forward steps taken in financing our State Government in many years.

HEALTH

Appropriations for the Health Program of this State have been increased substantially. Particular emphasis has been placed on Tuberculosis. The State subsidy for the care and treatment of Tubercular patients has been increased from \$2.50 per day per patient to \$3.50 per day per patient. Based on the beds that will be available for this care for the next 2 years, the appropriation has been increased by an average of approximately 1/2 Million dollars per year. Appropriations for the testing of our citizens for Tuberculosis has been increased \$32,500.00 or nearly 50% per year. General Health work has been increased from \$560,000.00 to \$650,000.00 per year.

MILITARY

Increases are recommended in the appropriations for Military. Last year's appropriation for the maintenance of the Department for active duty service, care and maintenance of Armories and for Quarterly allowances to the several units of our guard was \$525,000.00 per year. The appropriations for these functions is recommended at \$750,000.00 per year. This sum is necessary if we are to adequately finance the upkeep of our greatly expanded armory facilities, and allow the bare minimum necessary for Quarterly Allowances for the many units now activated; plus a small increase for the Military Department itself. Two years ago the National Guard in Alabama was composed of 4,000 officers and men. Today it totals over 13,000. Buildings to be maintained from this appropriation were 60 in number two years ago. Today they total over 200.

PUBLIC WELFARE

The last Legislature appropriated from the General Fund \$5,600,000.00 per year for welfare purposes. This budget recommends to you the sum of \$8,566,000.00 for this purpose for fiscal 1955-56 and \$9,026,000.00 for fiscal 1956-57 year from the General Fund. Together with certain taxes which you have just voted for welfare purposes at a special session, this will give us a Welfare Program consisting of \$18,815,000.00 from State funds for the first year of the biennium, which matched with Federal funds of \$45,490,000.00, gives us a total of \$64,305,000.00 for the twelve month 1955-56 fiscal year. State funds available for 1956-57 are \$19,275,000.00. This together with \$46,871,000.00 Federal Funds gives us a Welfare Program of \$66,146,000.00 for 1956-57.

CONSERVATION

This is one of the Departments previously mentioned as having operated from earmarked funds and now recommended to be supported from the General Fund. The Game and Fish Division of this Department has been spending approximately a Million One Hundred Thousand Dollars per year. This budget recommends an increase for fiscal 1955-56 of \$271,000.00, for fiscal 1956-57 - \$358,000.00. This will enable the division to employ an additional 30 or 35 Game Wardens and other personnel necessary to the proper administration of our Game and Fish laws. It will provide the other expenses incident to this operation.

The Forestry Division's recommended expenditures is based on its estimated receipts from State taxes, fees, licenses, etc.

The State Parks Division has been increased to take care of the much needed repairs to our existing Park System.

INDUSTRIAL DEVELOPMENT BOARD

There is in this budget the sum of \$300,000.00 per year for this board. (It contemplated the merging of the State Planning Board into this function. No appropriation is thus recommended for the Planning Board.)

GENERAL

There is also recommended in this budget increases for numerous other departments supported by the General Fund. These recommended increases in appropriation are to take care of the step by step salary raises for employees; increased services to be furnished the public; and much needed equipment in some departments.

If this General Fund Budget is to be adopted as is, it will be necessary that you pass the fishing license bill that is now before you. This is the only bill in my submitted budget that contemplates the raise of taxes in the General Fund.

DEBT

In 1955-56 the last payment of Principal and Interest in the amount of \$8,405,000.00 on the Old Bonded Debt (Carpet Bag Bonds) will be made. This debt is being paid off from a sinking fund created during my first Administration for this purpose. You will recall that this debt is over 100 years old and has cost the taxpayers in interest alone over \$1,000.00 per day for over 100 years.

REMOVAL OF CERTAIN SCHOOLS FROM GENERAL FUND

Since the solving of our educational needs is one of the largest problems facing us, it is recommended that all our educational functions be placed under the Alabama Special Educational Trust Fund for financing. The following have been dropped from the General Fund and it is recommended that they be financed from Alabama Special Educational Trust Fund:

1. Southern Industrial Institute
2. Tuskegee Institute
3. Vocational School for Girls
4. Boys' Industrial School
5. Partlow State School
6. Alabama Industrial School for Negro Children
7. State Training School for Girls

EDUCATION

The Education budget as presented here is the largest ever proposed in Alabama. The budget under which we are operating for this year is \$80,735,000.00. The recommendation for the next two years is, 1955-56 \$123,282,000.00; for 1956-57 - \$123,453,000.00. This is an average yearly increase of \$42,632,000.00.

MINIMUM PROGRAM FUND

The Minimum Program Fund which is as you know the appropriation account from which the public elementary and high schools is

supported, has been increased from \$57,565,000.00 to \$84,965,000.00 per year. This recommended increase will enable the teachers in the public elementary and high schools of the State to receive a salary increase of \$600.00 per year per teacher. It will also hire the additional teachers necessary to relieve the heavy load now imposed on our teachers in the public school system. It will increase the principal's supplement by over \$300,000.00 per year.

The transportation allotment heretofore made from this Minimum Program Fund has certainly been insufficient. This budget recommends an increase from \$1,368,000.00 per year to \$1,790,000.00 per year. You are all familiar with the crowded, hazardous conditions that now exist on our school buses. This appropriation will relieve such a situation.

The allotment from this fund now being made for the purchase of school supplies, lights, water, repairs and upkeep of buildings and the many other expenditures necessary to operate our schools which is now allotted under other current expenses is being raised from \$5,964,000.00 to \$9,372,000.00 per year.

This Minimum Program Fund recommendation will enable Alabama to have a school system which is adequately financed perhaps for the first time in history.

The Alabama Polytechnic Institute at Auburn has grown to such proportions that it is impossible to continue to operate with the present appropriations. Increases are recommended in its three areas of operation; the college proper, the Extension Service and the experimental farms.

The college proper has been raised from \$2,200,000.00 per year to \$3,254,000.00.

The Extension Service from \$816,000.00 per year to \$996,000.00 per year.

The Experimental Farms from \$718,000.00 to \$942,000.00 per year.

Educational Television at this school, which is something new, is recommended for \$85,000.00 per year.

The University of Alabama whose enrollment, like that of Auburn, is ever increasing, has been raised from \$2,642,000.00 per year to \$3,720,000.00 per year.

The University Medical & Dental School and Jefferson Hillman Hospital has been increased from \$1,485,000.00 to \$1,750,000.00 per year.

The Teachers Colleges have been increased from \$1,250,000.00 to \$1,550,000.00 per year.

The Deaf & Blind Institute at Talladega has been increased from \$758,000.00 per year to \$885,000.00 per year.

There is included in this budget on education the sum of \$6,600,000.00 per year for debt service to retire a \$150,000,000.00 bond issue for our schools in Alabama.

I recommend that you create a corporation, to consist of the Governor, Attorney General, Superintendent of Education and Finance Director, for the purpose of borrowing, allocating and spending the \$150,000,000.00 bond issue funds.

I recommend that 87% of this bond issue go to the public schools and 13% to tax supported institutions of higher learning.

If this recommended budget for the next biennium is adopted, it will be necessary to raise the revenue that now support the Alabama Special Educational Trust Fund. I am recommending to you that all exemptions to the Sales Tax be eliminated and further that Federal Income tax payments heretofore used as a credit on Alabama income tax be eliminated.

Respectfully,
JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

Budget received, read and ordered filed. Copy also filed in The Department of Archives and History.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Money:

H.J.R. 16. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two houses adjourn today they adjourn to meet again on Thursday, May 19, 1955; when they adjourn on Thursday, May 19, they adjourn to meet again on Tuesday, May 24, 1955; when they adjourn on Tuesday, May 24, they adjourn to meet again on Thursday, May 26, 1955, and when they adjourn on Thursday, May 26, they adjourn to meet again on Tuesday, May 31, 1955.

On motion of Mr. Money the rules were suspended and H.J.R. 16 was adopted.

Also:

By Messrs. Meeks, Edwards (Jefferson), Kaul, Lackey, Nice, Perry and Vacca:

H.R. 17. WHEREAS, important constitutional questions are presented by House Bill No. 155 (a copy of which is attached hereto) now pending in the Legislature of Alabama:

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of Alabama that the Justices of the Supreme Court of Alabama are hereby respectfully requested to render their opinion as provided by Section 34 of Title 13 of the Code of Alabama of 1940 on the following important constitutional questions:

(1) Will the bill, if enacted, constitute a general law within the meaning of Section 110 of the Constitution of Alabama?

(2) Does the bill contain but one subject and is that subject clearly expressed in its title as those terms are used in Section 45 of the Constitution of Alabama?

(3) Do the provisions of subsection (d) of Section 9 of the bill, which would authorize municipalities, regardless of population, to grant to authorities organized under the bill certain rights with respect to public streets therein for a period of time that may be in excess of thirty years, violate Section 228 of the Constitution of Alabama?

(4) Do the provisions of Section 23 of the bill constitute an irrevocable or exclusive grant of a special privilege within the meaning of Section 22 of the Constitution of Alabama?

(5) Do the provisions of Sections 9(d), 22 and 24 of the bill, which authorize the state and certain political subdivisions thereof to grant

certain permits and rights-of-way and to make certain conveyances to public tunnel authorities and to make studies with respect to the feasibility of tunnel projects proposed to be constructed by such tunnel authorities, violate Section 93, as amended, or Section 94 of the Constitution of Alabama?

(6) Would tunnel revenue bonds issued by a public tunnel authority organized under the provisions of the bill constitute (a) a debt, within the meaning of Section 224 of the Constitution of Alabama, of the county consenting to the organization of such authority; or (b) bonds of such county or of a political subdivision of such county within the meaning of Section 222 of the Constitution of Alabama; or (c) a debt of the State of Alabama within the meaning of Section 213, as amended, of the Constitution of Alabama?

(7) In the event that your answer to question (3), question (4) or question (5) is "Yes", would such a constitutional violation invalidate the bill as a whole?

On motion of Mr. Meeks the rules were suspended and H.R. 17 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Roberts:

S. 34. To amend further Section 20 of Title 34, Code of Alabama (1940), which relates to the grounds for granting divorces from the bonds of matrimony.

Also:

By Messrs. Lamberth, Van Antwerp, Allen, Eddins, Leonard, Roberts, Yarbrough (Randolph), Givhan, Vann, Smith, Metcalf, Dyar, Cantrell, Goodwin, James, Moses, Newton, Engelhardt, Grisham, Flowers, Cooper, Little, Skidmore, Davis (Lowndes) and Jones:

S. 49. To amend Title 36, Section 61, 69, and 71, Code of Alabama 1940, as amended, which relate to funds of the Department of Public Safety.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 34. Judiciary.

S. 49. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 14. Mourning the untimely death of the Honorable Howard L. Bagley, and extending sympathy to his widow and children.

J. E. SPEIGHT,
Secretary.

DEDICATED
TO THE
MEMORY OF
HONORABLE HOWARD L. BAGLEY

Member Of The House Of Representatives

From

Calhoun County, Alabama.

BILLS ON SECOND READING

Mr. Wood Chairman of the Standing Committee on Conservation reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 178. To provide a program for the protection of forest trees from tree infestation and disease. To establish a system and method for the suppression of infestation and disease in forest trees. To provide for co-operative agreements with the Federal Government, other agencies and persons. To provide for a fund known as the "Control of Forest Tree Insects and Diseases Fund," and to further provide an appropriation for the management of the program.

Mr. Wood Chairman of the Standing Committee on Conservation reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 164 (with amendment). To provide for the appointment of volunteer forest fire wardens by the Director of the Department of Conservation; to set forth the duties of such wardens and to further provide for the issuance of equipment to them and the compensation to be received by such wardens.

Mr. Murphy Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 169 (with amendment). Proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Walker County.

The above bill was read a second time at length as required by the Constitution.

Mr. Murphy Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 24. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Elmore County.

The above bill was read a second time at length as required by the Constitution.

H. 181. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Montgomery County.

The above bill was read a second time at length as required by the Constitution.

H. 182. To amend Act No. 301, H. 595, approved July 27, 1951, which authorizes the clerk of the Circuit Court of Lee County to employ clerical assistance (1950-51 Acts, Vol. 1, page 596).

S. 24. To alter and re-arrange the boundary lines of the City of Demopolis, Marengo County, Alabama, so as to include within the corporate limits of said City the territory described in Section One of this Bill.

S. 36. Relating to Talladega County: To provide that any person who was registered as an elector of Talladega County prior to January 1, 1955, whose name appeared on the list of registered electors of said county on that date, who has not removed, died, or become disqualified, as provided by law, shall be conclusively presumed to be a qualified elector of said county.

Mr. Wood Chairman of the Standing Committee on Conservation reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with Substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 62 (with substitute). Authorizing the creation of a public corporation within each county in the State which shall have the power to construct, lease, own and operate irrigation projects, hydro-electric power producing projects, sell water and water rights and have certain other powers and duties; authorizing the issuance of revenue bonds, and revenue refunding bonds, payable from the revenues of such projects, to pay the costs of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; providing that no debt of the State or any political subdivision thereof shall be incurred in the exercise of any of the powers granted by this Act; granting such corporations the right of eminent domain; and prescribing penalties for the violation of certain provisions of this Act.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Brannan:

H. 189. To amend Section 191, Title 51, Code of Alabama (1940), relating to the compensation of tax collectors.

State Administration.

By Mr. Brannan:

H. 190. To amend Section 30, Title 51, Code of Alabama (1940), relating to the compensation of tax assessors.

State Administration.

By Messrs. Taylor and Killough:

H. 191. Relating to motor vehicles; to prescribe certain equipment for motor vehicles which are propelled by Diesel fuel; and prescribing a penalty for operating such motor vehicle on highways which is not so equipped.

Judiciary.

By Messrs. Locke (Choctaw) and Locke (Perry):

H. 192. Exempting from ad valorem taxation all non-producing interests upon oil, gas and other minerals, as herein defined, and also non-producing severed mineral and royalty interests therein, hereinafter created or transferred or hereafter registered, and also levying a county mineral documentary tax or transfer fee to be paid upon leases and instruments creating and transferring severed interests in non-producing oil, gas or other minerals, as herein defined.

Judiciary.

By Messrs. Huddleston, Kelly, Lee (Lawrence), Broadfoot, Dement, Edwards (Escambia), Law, Vacca, Oden, Wood, Money, Hawkins, Shumate, Ferrell, Gist, Speaks, Reynolds, Roberts and Brown (Lamar):

H. 193. To define, regulate and license barbers and barber shops, barber colleges and like businesses, to create a State Board of Barber

Examiners, define their powers and duties, fix their compensation, fix and prescribe license fees for barbers, barber shops, barber colleges and like businesses, to prescribe penalties and punishment for the violation of this act.

Health.

By Messrs. Davis, Windle, Locke (Choctaw), Oakley, Brannan, Nettles, Pirkle, McNider, Wood, Shumate, Jenkins, Branyon, Selman and Kelly:

H. 194. To authorize county governing bodies to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; prescribing the procedure for levying and collecting such assessments; and providing fees or allowances to officers performing duties relative to the assessing and collecting of such assessments.

Local Government.

By Messrs. Windle, Pirkle, Kaul, Davis, Oden, Shumate, Selman, Huddleston, Meeks and Branyon:

H. 195. To make it unlawful to throw lighted matches, cigarettes, cigars, or other burning material from vehicles on the highways, roads and railroad rights of way of this State; to make it unlawful to discard or throw lighted matches, cigarettes, cigars, or other burning material on forest lands, grass lands or farm lands on which crops are growing, of this State; and, to provide a penalty therefor.

Judiciary.

By Messrs. Law, Hare, Speaks, Ferrell and Johnson (Elmore):

H. 196. To amend Section 332 of Title 17, Code of Alabama (1940), which prescribes penalties for certain violations of the election laws.

Judiciary.

By Messrs. Law, Hare, Speaks, Ferrell and Johnson (Elmore):

H. 197. To amend Section 320 of Title 17, Code of Alabama (1940), which prescribes penalties for certain violations of the election laws.

Judiciary.

By Messrs. Law, Hare, Speaks, Ferrell, and Johnson (Elmore):

H. 198. To amend Section 315 of Title 17, Code of Alabama (1940), which prescribes penalties for certain violations of the election laws.

Judiciary.

By Messrs. Law, Hare, Speaks, Ferrell and Johnson (Elmore):

H. 199. To amend Section 318 of Title 17, Code of Alabama (1940), which prescribes penalties for certain violations of election laws.

Judiciary.

By Messrs. Law, Hare, Speaks, Ferrell and Johnson (Elmore):

H. 200. To amend Section 317 of Title 17, Code of Alabama (1940), which prescribes penalties for certain violations of the election laws.

Judiciary.

By Messrs. Law, Hare, Speaks, Ferrell and Johnson (Elmore):

H. 201. To amend Section 316 of Title 17, Code of Alabama (1940), which prescribes penalties for certain violations of the election laws.

Judiciary.

By Messrs. Law, Hare, Speaks, Ferrell and Johnson (Elmore):

H. 202. To amend Section 305 of Title 17, Code of Alabama (1940), which prescribes penalties for certain violations of the election laws.

Judiciary.

By Messrs. Law, Hare, Speaks, Ferrell and Johnson (Elmore):

H. 203. To amend Section 304 of Title 17, Code of Alabama (1940), which prescribes penalties for certain violations of the election laws.

Judiciary.

By Messrs. Law and Johnson (Elmore):

H. 204. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Elmore County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Edwards (Escambia) (with notice and proof):

H. 205. To define, regulate and license barbers and barber colleges, and other like businesses in Escambia County, Alabama, State of Alabama; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission.

Local Legislation No. 1.

Notice and Proof H. 205:

STATE OF ALABAMA COUNTY OF ESCAMBIA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To define, regulate and license barbers and barber colleges, and other like businesses in Escambia County, Alabama, State of Alabama; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. After the passage of this Act it shall be unlawful for any person, co-partnership, association or corporation to act as a barber, operate a barber college, barber shop or other like business, to advertise or assume to act as such without a license issued by the Barbers' Commission of Escambia County. No co-partnership, association or corporation shall be granted a license, unless every member or officer of said co-partnership, association or corporation, who actively engages in the barber business, barber college or like business of such co-partner-

ship, association or corporation, shall hold a license as a barber as hereinafter provided for.

Section 2. A barber, barber shop, barber college or other like business within the meaning of this Act is any person, firm, partnership, co-partnership, association or corporation, who, for a valuable consideration or hire, shaves or trims the beard; gives facial or scalp massages, or treats the same with oils or other preparations, singes, shampoos, cuts or dyes the hair of a human being, or applies hair tonic or other cosmetic preparations, clays, or lotions to the scalp, neck, or face, or engages in the teaching of a person or persons in the art of barbering as in this paragraph defined. Provided, however, the provisions of this Act shall not apply to (1) persons engaged in the practice of medicine, surgery or beauty culture, (2) persons actively engaged in the military service of the United States Government while acting in line of duty (3) registered nurses in the course of their employment as such, (4) persons who render any of said services to members of their immediate families, or other persons who receive such services without charge therefor.

Section 3. There is hereby created a Barbers' Commission for Escambia County, State of Alabama. The Governor shall appoint three persons, each of whom immediately prior to the date of his appointment has been a resident of Escambia County, State of Alabama, for three years and who has had at least five years' experience as a barber, one member to be appointed for a term of one year, one member to be appointed for a term of two years, and one member to be appointed for a term of three years, and thereafter the term of any members appointed and qualified to succeed the members of the Barbers' Commission for Escambia County first appointed shall be for three years and until their successors are appointed and qualified. Members to fill vacancies shall be appointed and vacancies caused by the expiration of the term of any person appointed shall be selected in the manner following: The Commission shall, sixty days prior to the expiration of the term of any commissioner of the Chairman of the Barbers' Commission for Escambia County, give notice in writing to the licensed barbers of Escambia County that such vacancy will be created on the date of the expiration of the term of the commissioner whose term is about to expire; or if a vacancy be caused for any reason other than the expiration of the term the Barbers' Commission for Escambia County shall within thirty days after such vacancy is created give notice to the licensed barbers of Escambia County of such vacancy, calling upon the said barbers to suggest to the Barbers' Commission for Escambia County the names of three barbers to fill the vacancy or vacancies thus occasioned; to that end a ballot shall be prepared and enclosed in the letter notifying the barbers of the vacancy or vacancies thus created, the said ballot reading: "I hereby nominate for appointment by the Governor of the State of Alabama to the Barbers' Commission for Escambia County, Alabama, one of the following named three persons:

....." The ballots shall be numbered and identified in such manner as to prevent anyone employing any ballot other than that forwarded the licensed barber entitled to vote and in addition to the ballot the Barbers' Commission for Escambia County shall forward the licensed barber an envelope addressed to the Barbers' Commission for Escambia County and properly stamped with postage of the United States Government. When the ballots are returned to the Barbers' Commission for Escambia County they shall be opened on a day designated in the notification forwarded the duly licensed barbers of Escambia County in the presence of the commissioners of the Barbers' Commission for Escambia County then serving, and the ballots shall be counted, and the names of the three barbers who shall

receive the greatest number of votes shall be selected as the three nominees of the Barbers' Commission for Escambia County and the Barbers' Commission for Escambia County shall then certify to the Governor of the State of Alabama the names of the three barbers receiving the highest number of votes, and the Governor shall appoint one of the three persons thus designated to fill the vacancy created. If more than one vacancy exist at any time there shall be nominated in the manner herein above designated and certified to the Governor three nominees for each such vacancy so that if there be one vacancy there shall be three nominees, if there be two vacancies there shall be six nominees, and if there be three vacancies there shall be nine nominees certified to the Governor of Alabama, who shall select for appointment one nominee from each group thus nominated. The Commission immediately upon the qualification of the member appointed each year shall organize by selecting from its members a Chairman, and may do all things necessary or convenient for carrying into effect the provisions of this Act. Each member of the Commission shall receive as full compensation for each day actually spent in the work of said Commission the sum of six dollars per day and his actual and necessary expenses thereby incurred. The Commission shall appoint and at its pleasure discharge, a secretary-treasurer and such assistants as may be deemed necessary to discharge the duties imposed by the provisions of this Act; the Treasurer so appointed shall be required to enter into a bond to be approved by the Commission in the sum of not less than One Thousand (\$1,000.00) Dollars conditioned to pay any shortage or loss of funds on hand by said Treasurer during his term of office or at the time that he is holding office. Said Commission shall outline the duties and fix the compensation of the Treasurer. The Commission shall obtain such office space, furnishings, and other proper conveniences as shall be reasonably necessary for carrying out of the provisions of this Act. The principal office of said Commission to be located in the City of Brewton. The Commission shall adopt a seal with such design as it may prescribe, engraved thereon, by which it shall authenticate its proceedings. The Commission shall make appropriate rules and regulations for the administration of the office of the Commission and for the purpose of carrying out the provisions of this Act. In addition thereto, the Commission is empowered to make reasonable inspection of the barbers and barber shops of Escambia County to the end that they observe proper methods of sanitation and sterilization in and about the conduct of their business. Copies of all records and papers in the office of the Commission duly certified and authenticated by its seal shall be received in evidence in all courts with like effect as the original. All records kept in the office of the Commission under authority of this act shall be open to public inspection under such rules and regulations as shall be prescribed by the Commission. All fees and charges collected by the Commission under the provisions of this Act, shall be paid into the Treasury of the Commission; said funds shall be used and kept exclusively in the hands of the Treasurer of this Commission, and shall be used under the direction of the Commission, not inconsistent with this Act. Funds may be disbursed by an order of the Commission on a check being drawn by the Treasurer against such funds, as may be on hand, and approved by the Chairman of the Board for the purpose of paying all expenses incurred by the Commission, including the compensation of members and their employees and their assistants and the Treasurer, provided the total fees and charges collected and paid into the Treasury of this Commission, and all monies remaining in said separate fund at the end of the fiscal year not expended as herein provided, shall become a part of the funds of said Commission and shall be retained by the said Commission and may be deposited in any bank on Savings Account or otherwise.

Section 4. Licenses shall be granted only to persons of good moral character, who have an elementary school education, or its equivalent in the judgment of the Commission, and shall be at least 18 years of age, and have practiced as an apprentice for a period of at least one year and pass a satisfactory examination conducted by the Commission. Provided, however, any person or persons engaged in the occupation of barbering for a period of less than one year may be licensed as an apprentice barber, provided he is 17 years of age, and has an elementary school education, or its equivalent in the judgment of the Commission, upon successfully passing said Commissioners' examination for licensing a barber, as herein set forth. Provided further, that no person will be granted a license to operate a barber shop unless he has been a licensed barber for at least one year.

Section 5. Whenever the masculine gender is used in this Act it is to be construed in such manner as to include the feminine gender. Every applicant for a barber's license, apprentice-barber's license or for a license to operate a barber shop or barber college or other like business shall apply therefor in writing on blanks prepared for and furnished by said Barber's Commission. It shall be accompanied by the recommendation of at least two barbers doing business in said County of Escambia not related to the applicant certifying that the applicant is of good reputation, is qualified to practice the trade of barbering, and recommending that a license be granted him. Said application shall be accompanied by the application fee hereinafter provided and reputable doctor's certificate certifying that said applicant has no communicable or contagious or infectious disease. The Commission, after applications in proper form have been filed, shall set the application down for a hearing and determination as hereinafter provided in this Act. The Commission shall examine the application, doctor's certificate and recommendations of the barber's recommending the applicant and if these documents are found in order, then and in that event the Commission is to proceed with the examination of the applicant. The applicant shall be examined with a view of determining whether he has an elementary school education of its equivalent, and in addition thereto the applicant shall be assigned to a chair in some barber shop where barbers licensed to practice barbering under the terms of this Act are employed, where the applicant shall be given an examination which will determine his skill as a barber and in addition thereto the applicant may be required to name the instruments which are in general use in such barber shop and he shall be examined as to his knowledge concerning the proper employment of shaving and shampooing soaps, antiseptics, lotions, facial massage creams and hair tonics, and if, in the opinion of the Commission, such demonstration is deemed necessary or advisable the applicant may be required to demonstrate his skill in shaving some person or cutting his hair, in the art of massage or shampooing, or to do any or all of those things which a reputable barber is generally called upon to perform in practicing barbering. In addition thereto he shall be examined relative to his knowledge of certain skin diseases commonly dealt with by experienced barbers with the view of determining whether or not such diseases are infectious, or contagious; and in this connection he shall be required to show to the reasonable satisfaction of the Commission his knowledge of the proper sterilization of the instruments and tools he is required to employ in and about the practice of barbering. If the applicant pass the examination the Commission shall issue a license in such form as it may prescribe showing the name and address of the licensee and the barber shop or college in which he is employed. The seal of the Commission shall be imprinted on the license and such other additional matter placed thereon as the Commission may designate. It shall be the duty of each person, co-partnership, association or cor-

poration to display conspicuously the license thus issued in the place of business wherein such person, co-partnership, association or corporation operates. The Commission shall issue to each licensee a pocket card, on which shall be an imprint of the seal of the Commission certifying that the person whose name appears thereon is a licensed barber or operator of one of the businesses herein named as the case may be. The original fee for each barber's license shall be \$7.50, and the annual renewal fee shall be \$7.50. The original fee for any non-resident barber coming into the State shall be \$15.00. Every license shall expire on the 31st day of December of each year. The Commission shall issue a new license for the ensuing years in the absence of any reason or condition that might warrant the refusal of granting of the license upon the receipt of the written request of the applicant accompanied by the annual fee therefor, as herein required, and accompanied, also, by a certificate of a reputable physician asserting that the applicant then has no contagious, communicable or infectious disease. The Commission may upon its own motion, and shall upon the verified complaint in writing of any three persons making out a prima facie case, investigate the actions of any person hereby affected, and shall have the power to suspend or to revoke any license issued under the provisions of this Act at any time where the licensee has fraudulently obtained the license, or where the licensee in performing or attempting to perform any of the acts mentioned herein is deemed to be guilty of (a) the violation of any state, county, or city statute or ordinance pertaining to the operation of the business hereby affected, (b) the violation of any rule or regulation established by the Commission, (c) or who has failed upon request of the Secretary-Treasurer to give evidence and/or proof of the compliance with the same. The commission shall, before denying an application for license, or before suspending or revoking any license, set the matter down for a hearing, notify the applicant or licensee in writing, which notice shall contain an exact statement of the charges made, and the date and place of hearing. The applicant or licensee at all hearings, shall have the opportunity to be heard in person or by counsel or both. Such notice may be served by delivery of the same personally to the applicant or licensee, or by mailing the same by registered mail to the last known business of such applicant or licensee. In preparation and conduct of hearings, the Commission shall have power to require by subpoenas the appearance and testimony of witnesses and the production of papers, and any member of the commission may sign subpoenas, administer oaths and examine witnesses. The fees and mileage shall be the same as prescribed by law in judicial procedure in the courts of this State in civil cases. Any party to a hearing shall have the right to the attendance of witnesses in his behalf. In case of disobedience to a subpoena, any member of the Commission may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and the production of papers, and such court may issue an order requiring the persons to appear before the Commission, and give evidence, or produce papers, as the case may be, and any failure to obey such order of the Court may be punished by the Court as a contempt thereof. (Any person so refusing to appear and give testimony required by such Commission shall be guilty of a misdemeanor, and upon conviction thereof by a court of competent jurisdiction, be punished as provided by the provisions of this Act.) If the Commission shall determine that any applicant is not qualified to receive a license, or that any licensee is guilty of a violation of any of the provisions of this Act, a license shall not be granted, or the same suspended or revoked as the case may require. Upon request of the applicant or licensee in writing the Commission shall furnish said party, with a definite statement of its findings of facts and its reason or reasons for refusing to grant the license or for its suspension or revocation of same. The findings of the Commis-

sion may be appealed to the Circuit Court of the county in which the principal office of the Commission may be located, provided an appeal is taken within 10 days after such final determination of the Commission. Any persons desiring to appeal under this section shall file with the Commission or some member thereof, a notice in writing that he appeals to the Circuit Court with at least one solvent surety payable to the County of Escambia, conditioned to prosecute such appeal to effect and upon failure to do so, to pay all costs and damages which may be taxed against him by the Circuit Court on such appeal. Such bond to be approved by the Circuit Court of Escambia County, and any cause so appealed shall be tried de novo in said Circuit Court. The Commission shall at least every three months hold an examination for the purpose of determining the qualifications of any applicants to become barbers or barber-apprentices, and shall conduct said examinations in accordance with the rules and regulations promulgated by said Commission not inconsistent with this Act. Said examination to be conducted in the city, town, or village where the principal office of the Commission is located.

Section 6. Any person violating the provisions of this Act shall upon conviction be punished by a fine of not more than five hundred dollars, or by imprisonment for a term not to exceed six months or by both fine and imprisonment in the discretion of the Court. This provision shall have application to any officer or agent of a corporation, co-partnership or association operated in violation of this Act. Any court of competent jurisdiction in said county shall have full power to try any violation of this Act, and upon conviction the Court may at its discretion revoke the license of the person, co-partnership, association or corporation violating the terms hereof. Before the Commissioners herein provided for shall receive a commission and enter upon the discharge of their duties each shall take and subscribe the oath provided by law to be taken by elective officers of the State of Alabama.

Section 7. If any section, sub-section, sentence, clause, phrase or requirement of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions thereof. The Legislature hereby declares that it would have passed this Act and each section, sub-section, sentence, clause, phrase and requirements thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases or requirements to be declared unconstitutional.

Section 8. All laws, or parts of laws, in conflict with this Act be, and the same are hereby repealed.

Section 9. Nothing in this Act contained shall affect the power of the State, County or municipality to tax, license and regulate persons, co-partnerships, associations or corporations operating barber shops, barber colleges, or other like businesses. The requirements hereof shall be in addition to the requirement of any existing or future law or ordinance of any state, county or municipality so taxing, licensing or regulating persons, co-partnerships, associations or corporations operating barber shops, barber colleges or other like businesses.

Section 10. This Act shall take effect immediately upon its passage and approval by the Governor.

47-4t

PROOF OF PUBLICATION

State of Alabama, Escambia County:

I, W. E. Brooks, owner and publisher of The Brewton Standard, hereby certify that the attached notice is a true and correct copy of notice published in said Brewton Standard once a week for 4 consecu-

tive weeks, namely in the issues of April 21, 1955, April 28, 1955, May 5, 1955, May 12, 1955.

I further certify that the said Brewton Standard is a newspaper printed in the English language in Escambia County, Alabama; that said newspaper has a general circulation in the county in which it is published, and has been mailed under the second class mailing privilege of the United States Post Office Department from the Post Office at Brewton, Alabama, where it is published, for more than 52 consecutive weeks.

W. E. BROOKS.

Subscribed and sworn to before me this 16th day of May, 1955.

HELEN G. AUGHTMAN,
Notary Public, Escambia County, Ala.

By Messrs. Hawkins, Edwards (Escambia), Money, Fite, Brewer, Simon, Murphy and Tyson:

H. 206. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Ways and Means.

By Messrs. Hawkins, Edwards (Escambia), Money and Hanby:

H. 207. (To Remove Certain Exemptions From The Sales and Use Tax.) To repeal Act No. 205, S. 14, approved June 22, 1943 (General Acts of Alabama, 1943, p. 184-Agricultural Publications); Act No. 320, H. 385, approved July 7, 1945 (General Acts of Alabama, 1945, p. 525-Materials for Ships); Act No. 321, H. 386, approved July 7, 1945 (General Acts of Alabama, 1945, p. 526-Materials for Ships); Act No. 313, H. 356, approved July 7, 1945 (General Acts of Alabama, 1945, p. 504-Subscriptions to Magazines); Act No. 397, H. 193, approved August 16, 1949 (Acts of Alabama, 1949, p. 568-Blind Persons Sales); Act No. 878, H. 242, approved September 12, 1951 (Acts of Alabama, 1951, p. 1515-Exchange of Cottonseed Meal for Cotton Seed at Gins); Act No. 587, H. 442, approved August 30, 1951 (Acts of Alabama, 1951, p. 1020-Certain Sales Through Machines); Act No. 581, H. 93, approved August 30, 1951 (Acts of Alabama, 1951, p. 1017-Feedstuffs); Act No. 585, H. 92, approved August 30, 1951 (Acts of Alabama, 1951, p. 1019-Insecticides); Act No. 586, H. 94, approved August 30, 1951 (Acts of Alabama, 1951, p. 1020-Fungicides); Act No. 742, H. 920, approved September 17, 1953 (Acts of Alabama, 1953, p. 1006-Property for Use of Schools); Act No. 839, H. 565, approved September 19, 1953 (Acts of Alabama, 1953, p. 1130-Fuel Oil for Kiln Use); Act No. 447, H. 167, approved August 31, 1953 (Acts of Alabama, 1953, p. 552-Caskets); and Act No. 852, S. 128, approved September 19, 1953 (Acts of Alabama, 1953, p. 1143-Activities of Athletic Events), all of which provide for exemptions from the computation of the amount of the taxes levied, assessed, or payable under the provisions of Articles 10 and 11 of Chapter 20 of Title 51, Code of Alabama (1940).

Ways and Means.

By Messrs. Hawkins, Edwards (Escambia), Money, Hanby and Law:

H. 208. To amend further Sections 788 and 789 of Title 51, Code of Alabama (1940), which relate to the state use tax.

Ways and Means.

By Messrs. Hawkins, Edwards (Escambia), Money, Hanby and Law:

H. 209. To amend further Sections 753 and 755 of Title 51, Code

of Alabama (1940), which relate to the state sales **tax**.

Ways and Means.

By Messrs. Hawkins and Edwards (Escambia):

H. 210. To provide, notwithstanding any law or rule to the contrary, that any person, firm or corporation filing an income tax return in the State of Alabama shall not deduct any taxes paid or accrued within the taxable year imposed by authority of the United States or any of its possessions in computing the net income for the purpose of filing an income tax return in the State of Alabama; and that the provisions of this Act shall be applicable to all income tax returns filed for the calendar year beginning January 1955 or for any fiscal year commencing during the year 1955.

Ways and Means.

By Messrs. Hawkins, Edwards (Escambia), Money and Meeks:

H. 211. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1956, and September 30, 1957, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Board of Trustees of the Partlow State School, the Alabama Educational Television Commission and for the Teachers' Retirement System.

Ways and Means.

By Messrs. Hawkins, Edwards (Escambia) and Money:

H. 212. To create and establish a fund in the State Treasury to be designated The General Fund and to specify what monies shall be paid into or deposited therein; to provide for the withdrawals from such General Fund; to provide that this Act shall supersede all acts in conflict herewith and in particular those providing special earmarked funds or accounts in the State Treasury; and to provide an effective date for this Act.

Ways and Means.

By Messrs. Hawkins, Edwards (Escambia) and Money:

H. 213. To amend Title 22, Section 199, Code of Alabama 1940, as amended, which relates to care and treatment of tubercular patients.

Ways and Means.

By Messrs. Hawkins, Edwards (Escambia), Money and Meeks:

H. 214. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

Ways and Means.

By Messrs. Hawkins, Edwards (Escambia), Money, Adams and Johnson (Tallapoosa):

H. 215. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

Ways and Means.

By Messrs. Hawkins, Edwards (Escambia), Meeks and Money:

H. 216. To make an appropriation for the support of the Council of State Governments.

Ways and Means.

By Messrs. Hawkins, Edwards (Escambia) and Money:

H. 217. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering, veterinary medicine, nursing, home economics and agriculture.

Ways and Means.

By Mr. Hawkins:

H. 218: TO AMEND: Section 90 of Article 2 of Chapter 2 of Title 61 of the Code of Alabama of 1940.

Judiciary.

By Messrs. Hawkins and Edwards (Escambia):

H. 219. To Amend Title 28, Sections 317, 318, 319, 320, 321, 323, 325, 327, and 328, of Code of Alabama 1940 as amended: which relate to the State Insurance Fund.

Ways and Means.

By Messrs. Oden, Pirkle, Lee (Lawrence), Grouby, Lee (Barbour), Callahan, Ashworth, Solomon, Kendall, Brannan and Martin:

H. 220. To provide for the disposition of all fines and forfeitures which hereafter may be paid by any person or persons convicted in any court of competent jurisdiction of violations of the rules and regulations promulgated by the Governor of Alabama or any officer or agency of the State of Alabama or of violations of the Alabama Highway Code or statutes of Alabama now in force or hereafter adopted concerning the operation of motor vehicles upon the highways of this State; providing that the failure, refusal, or neglect of certain officers to comply with the provisions hereof shall constitute misconduct in office; and repealing conflicting laws.

Ways and Means.

By Mr. Stembridge:

H. 221. Relating to the department of revenue: To authorize and direct the Commissioner of the Department of Revenue to allow distributors and retail dealers a refund, deduction, or discount of two percent of all motor fuel taxes collected to defray the cost of collecting such taxes from the ultimate consumer, one-half of such allowance to be for the benefit of the distributor and one-half to the use of the retail dealers; authorizing the Commissioner of Revenue to promulgate reasonable rules and regulations to effectuate the purposes of this Act.

Ways and Means.

By Mr. Stembridge:

H. 222. Relating to the use tax; amending Section 788, Title 51, Code of Alabama, 1940, as amended, by providing for the imposition of an excise tax upon any tangible personal property already subjected to sales or use taxation by any other state or political subdivision thereof, in an amount less than that imposed by Alabama, at a rate measured by the difference between the previous rate and the rate of the Alabama use tax; and providing that no tax shall be due upon such articles of tangible personal property if the tax imposed in such other state or political subdivision is equivalent to or greater than the rate imposed in Alabama.

Ways and Means.

By Mr. Brown (Lee):

H. 223. To authorize the Governor to enter into a contract with the Michie Publishing Company to replace any volume or volumes of the Code of Alabama 1940.

Ways and Means.

By Mr. Dement (with notice and proof):

H. 224. Relating to Limestone County: To amend Act No. 355, H. 757, approved August 17, 1953 (Acts of Alabama, 1953, p. 423) entitled "An Act To fix the compensation of the Sheriff of Limestone County and to provide for deputy sheriffs and the compensation thereof, to provide for the feeding of prisoners in Limestone County and regulating the operation of the office of the Sheriff of Limestone County, Alabama, and to repeal all laws in conflict herewith and to provide for the effective date of this act."

Local Legislation No. 1.

Notice and Proof H. 224:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Limestone County: To amend Act. No. 355, H. 757, approved August 17, 1953 (Acts of Alabama, 1953, p. 423) entitled "An Act To fix the compensation of the Sheriff of Limestone County and to provide for deputy sheriffs and the compensation thereof, to provide for the feeding of prisoners in Limestone County and regulating the operation of the office of the Sheriff of Limestone County, Alabama, and to repeal all laws in conflict herewith and to provide for the effective date of this act."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 3 of Act No. 355, H. 757, approved August 17, 1953 (Acts of Alabama, 1953, p. 423), entitled "An Act To fix the compensation of the Sheriff of Limestone County and to provide for deputy sheriffs and the compensation thereof, to provide for the feeding of prisoners in Limestone County and regulating the operation of the office of the Sheriff of Limestone County, Alabama, and to repeal all laws in conflict herewith and to provide for the effective date of this act," is amended to read as follows:

"The sheriff may appoint a chief deputy and three other deputies, one of whom may be the jailer, whose salaries shall be fixed by the sheriff. The chief deputy shall receive a salary of not less than one thousand eight hundred dollars (\$1,800) nor more than three thousand dollars (\$3,000) per annum. Each of the other three deputies shall receive a salary of not less than one thousand five hundred dollars (\$1,500) nor more than two thousand seven hundred dollars (\$2,700.00) per annum. The sheriff may also appoint a clerk, who shall be employed three working days each week and shall receive a salary of one thousand two hundred dollars (\$1,200) per annum. All of the salaries provided for herein shall be paid by the county in equal monthly installments, as the salaries of other county employees are paid."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Owner of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Apr. 14, Apr. 21, Apr. 28, and May 5, all in the year 1955.

STEELE MCGREW.

Sworn to and subscribed before me May 16, 1955.

LOLA L. ORR,
Notary Public.

By Mr. Dement (with notice and proof):

H. 225. Relating to Limestone County: To amend further Act No. 95, H. 395, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 67), entitled "An Act To change the method of compensating the Tax Assessor of Limestone County, placing such officer on a salary, and providing for the administration of his office on a salary basis."

Local Legislation No. 1.

Notice and Proof H. 225:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Limestone County: To amend further Act. No. 95, H. 395, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 67), entitled "An Act To change the method of compensating the Tax Assessor of Limestone County, placing such officer on a salary, and providing for the administration of his office on a salary basis."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 2 of Act No. 95, H. 395, approved July 7, 1947, (Local Acts of Alabama, 1947, p. 67), entitled "An Act To change the method of compensating the Tax Assessor of Limestone County, placing such officer on a salary, and providing for the administration of his office on a salary basis," as amended, is amended further to read as follows:

"The tax assessor may employ a regular clerk, whose salary shall be fixed by him at not less than one thousand two hundred dollars (\$1,200.00) nor more than two thousand one hundred dollars (\$2,100.00) per annum. In addition to the regular clerk, the tax assessor may employ a temporary clerk for a period not to exceed three months in any year. The salary of the temporary clerk shall be fixed by the tax assessor at not less than ninety dollars (\$90.00) nor more than one hundred thirty-five dollars (\$135.00) per month. The salaries of both

clerks shall be paid by the county. The tax assessor shall not employ either clerk unless he shall file on or before October 1 of each year his affidavit showing a necessity for the employment of clerks during the ensuing year."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

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PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Owner of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Apr. 14, Apr. 21, Apr. 28, and May 5, all in the year 1955.

STEELE MCGREW.

Sworn to and subscribed before me May 16, 1955.

LOLA L. ORR,
Notary Public.

By Mr. Dement (with notice and proof):

H. 226. Relating to Limestone County: To amend Act No. 201, H. 605, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 120), entitled "An Act To change the method of compensating the Judge of Probate of Limestone County, placing such officer on a salary, and providing clerks for his office."

Local Legislation No. 1.

Notice and Proof H. 226:

STATE OF ALABAMA COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Limestone County: To amend Act No. 201, H. 605, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 120), entitled "An Act To change the method of compensating the Judge of Probate of Limestone County, placing such officer on a salary, and providing clerks for his office."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 2 of Act No. 201, H. 605, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 120), entitled "An Act To change the method of compensating the Judge of Probate of Limestone County, placing such officer on a salary, and providing clerks for his office," is amended to read as follows:

"The judge of probate may employ one chief clerk and three assistant clerks, whose salaries shall be fixed by him and be paid by the county. The chief clerk shall receive a salary of not less than one thousand and eight hundred dollars (\$1,800.00) nor more than two thousand seven hundred dollars (\$2,700.00) per annum. The assistant clerks shall receive a salary of not less than one thousand two hundred dollars (\$1,200.00) nor more than two thousand one hundred dollars (\$2,100.00) per annum."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

M5

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Owner of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Apr. 14, Apr. 21, Apr. 28, and May 5, all in the year 1955.

STEELE McGREW.

Sworn to and subscribed before me May 16, 1955.

LOLA L. ORR,
Notary Public.

By Mr. Dement (with notice and proof):

H. 227. Relating to Limestone County: To amend further Act No. 120, S. 210, approved July 17, 1947 (Local Acts of Alabama, 1947, p. 78), entitled "An Act To change the method of compensating the Tax Collector of Limestone County, placing such officer on a salary basis, and providing for the administration of his office on that basis."

Local Legislation No. 1.

Notice and Proof H. 227:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Limestone County: To amend further Act No. 120, S. 210, approved July 17, 1947 (Local Acts of Alabama, 1947, p. 78), entitled "An Act To change the method of compensating the Tax Collector of Limestone County, placing such officer on a salary basis, and providing for the administration of his office on that basis."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 2 of Act No. 120, S. 210, approved July 17, 1947 (Local Acts of Alabama, 1947, p. 78), entitled "An Act To change the

method of compensating the Tax Collector of Limestone County, placing such officer on a salary basis, and providing for the administration of his office on that basis," as amended, is amended further to read as follows:

"The tax collector may employ a clerk, whose salary shall be fixed by him at not less than one thousand two hundred dollars (\$1,200.00) nor more than two thousand one hundred dollars (\$2,100.00) per annum. The salary of the clerk shall be paid by the county in the same manner as the salaries of other county employees are paid. The tax collector shall not employ such clerk unless he shall file on or before October 1 of each year his affidavit showing a necessity for such employee during the ensuing year."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

M5

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Owner of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Apr. 14, Apr. 21, Apr. 28, and May 5, all in the year 1955.

STEELE MCGREW.

Sworn to and subscribed before me May 16, 1955.

LOLA L. ORR,
Notary Public.

By Mr. Dement (with notice and proof):

H. 228. Relating to Limestone County: To amend further Act No. 200, H. 604, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 119), entitled "An Act To consolidate and combine the officers of Circuit Clerk, Register of the Circuit Court, Clerk of the Limestone County Court, and Register of the Limestone County Court of Limestone County; and to provide for the election, term of office and compensation of a circuit Clerk of Limestone County, and for an assistant Clerk and his compensation."

Local Legislation No. 1.

Notice and Proof H. 228:

STATE OF ALABAMA COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Limestone County: To amend further Act. No. 200, H. 604, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 119, en-

titled "An Act To consolidate and combine the officers of Circuit Clerk, Register of Circuit Court, Clerk of the Limestone County Court, and Register of the Limestone County Court of Limestone County; and to provide for the election, term of office and compensation of a circuit Clerk of Limestone County, and for an assistant Clerk and his compensation."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 2 of Act No. 200, H. 604, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 119), entitled "An Act To consolidate and combine the officers of Circuit Clerk, Register of the Circuit Court, Clerk of the Limestone County Court, and Register of the Limestone County Court of Limestone County; and to provide for the election, term of office and compensation of a Circuit Clerk of Limestone County, and for an assistant clerk and his compensation," as amended, is amended further to read as follows:

"A circuit clerk for Limestone County shall be elected by the qualified electors of the county at the general election to be held in the year 1952, and every four years thereafter; the clerk shall hold office for a term of four years, and until his successor is elected and qualified, and his salary shall be paid from the general fund of Limestone County, Alabama, in equal monthly installments. The annual salary of the circuit clerk shall be governed by the gross assessed valuation of property, real and personal, tangible and intangible, in Limestone County as shown by the records of the tax assessor of Limestone County as follows: When the tax assessor's records show that the gross assessed valuation of such property for the tax year ending on the thirtieth day of September of any year was less than eleven million dollars (\$11,000,000) the salary of the circuit clerk for the year beginning on the first day of the next January shall be three thousand dollars (\$3,000); when these records show the gross assessed valuation is eleven million dollars (\$11,000,000) or more but less than eleven million two hundred and fifty thousand dollars (\$11,250,000) the salary of the circuit clerk shall be three thousand two hundred dollars (\$3,200); when these records show the gross assessed valuation is eleven million two hundred and fifty thousand dollars (\$11,250,000) or more but less than eleven million five hundred thousand dollars (\$11,500,000) the salary of the circuit clerk for the year beginning on the first day of the next January shall be three thousand four hundred dollars (\$3,400), when these records show the gross assessed valuation is eleven million five hundred thousand dollars (\$11,500,000) or more but less than twelve million dollars (\$12,000,000) the salary of the circuit clerk for the year beginning on the first day of the next January shall be three thousand six hundred dollars (\$3,600); when these records show the gross assessed valuation is twelve million dollars (\$12,000,000) or more but less than twelve million five hundred thousand dollars (\$12,500,000) the salary of the circuit clerk for the year beginning on the first day of the next January shall be four thousand two hundred dollars (\$4,200); when these records show the gross assessed valuation is twelve million five hundred thousand dollars (\$12,500,000) or more but less than thirteen million dollars (\$13,000,000) the salary of the circuit clerk for the year beginning on the first day of the next January shall be four thousand and eight hundred dollars (\$4,800); and when these records show the gross assessed valuation is thirteen million dollars (\$13,000,000) or more the annual salary of the circuit clerk for the succeeding calendar years shall be five thousand and four hundred dollars (\$5,400). The circuit clerk may employ one assistant clerk, whose salary shall be fixed by him at not less than one thousand two hundred dollars (\$1,200) nor more than two thousand seven hundred dollars (\$2,700) per annum. The salary of the assistant clerk shall be paid in equal monthly installments out of the general fund of the county."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

M5

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Owner of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Apr. 14, Apr. 21, Apr. 28, and May 5, all in the year 1955.

STEELE MCGREW.

Sworn to and subscribed before me May 16, 1955.

LOLA L. ORR,
Notary Public.

By Messrs. Roberts and Reynolds:

H. 229. To apply in all counties having a population of not less than 65,000 nor more than 75,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks.

Local Legislation No. 1.

By Messrs. Simon, Murphy, Hawkins, Edwards (Escambia), Hare, Tyson, Brassell, Payne, Shumate, Mathews, Wood, Branyon, Dement, Davis, Selman, Money, Kelly, Brown (Lamar), Stembridge, Ferrell, McKay, Callahan, Reynolds, Steagall and Speaks:

H. 230. To provide further for the development of harbors and seaports; abolishing the Alabama State Docks Board created by an Act which became effective August 1, 1951 (Acts of the Legislature of Alabama, 1950-51, Vol. I, page 450), and establishing the Alabama State Docks Department in lieu thereof; providing for the selection of the Department's officers, and prescribing the Department's functions, jurisdiction, powers, and duties; repealing conflicting laws.

Judiciary.

By Messrs. Murphy, Tyson and Simon (with notice and proof):

H. 231. Relating to Mobile County: To create the Supervisory Committee of the Mobile County Personnel Board in lieu of the Citizens Supervisory Committee created by Act No. 470 of 1939, which is hereby abolished; prescribing the membership of the committee; requiring certain meetings thereof; and transferring to the Supervisory Committee of the Mobile County Personnel Board the powers, authority, duties and functions of the Citizens Supervisory Committee.

Local Legislation No. 1.

Notice and Proof H. 231:

LEGAL NOTICE

State of Alabama, County of Mobile:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Mobile County: To create the Supervisory Committee of the Mobile County Personnel Board in lieu of the Citizens Supervisory Committee created by Act No. 470 of 1939, which is hereby abolished; prescribing the membership of the committee; requiring certain meetings thereof; and transferring to the Supervisory Committee of the Mobile County Personnel Board the powers, authority, duties and functions of the Citizens Supervisory Committee.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby established the Supervisory Committee of the Mobile County Personnel Board. This committee shall be in lieu of the Citizens Supervisory committee created by Act. No. 470, H. 952 of 1939 (Local Acts of Alabama 1939, page 298), which is hereby abolished. The supervisory committee hereby created shall succeed to and exercise all the rights, powers and authority, and shall perform all the duties and functions now vested in and required of the Citizens Supervisory Committee. After the effective date of this Act the term Citizens Supervisory Committee when used in any law relative to the county-wide personnel system of Mobile County shall be construed to mean the Supervisory Committee of the Mobile County Personnel Board hereby established.

Section 2. The Supervisory Committee of the Mobile County Personnel Board shall be composed of the persons holding each of the following elective offices in Mobile County, Alabama, namely, the presiding judge of the circuit court, the judge of probate, the judge of the Inferior Criminal Court, the tax assessor, the tax collector, the county license commissioner, the chairman of the County Board of Revenue and Road Commissioners, the sheriff, and the mayor of each of the incorporated towns and cities in Mobile County. The presiding judge of the circuit court of Mobile County shall be chairman of the committee.

Section 3. The Chairman shall call the first or organizational meeting of the Supervisory Committee hereby created as soon as practicable after this Act becomes effective. In his call he shall specify the date and hour of the meeting and designate the place thereof, and shall mail a copy thereof to each member of the committee. At its first meeting the committee shall adopt such rules, regulations, and modes of procedure as it deems expedient to enable it to dispatch its business in an orderly manner, and thereafter from time to time the committee may amend or rescind such rules, regulations and modes of procedure or adopt additional ones. Seven members of the committee shall constitute a quorum for the transaction of business. In addition to the organizational meeting hereby prescribed the committee shall meet on the first Tuesday in March of each year, unless such day is a legal holiday in which event the annual meeting of the committee shall be held on the day following the legal holiday. In addition to these meetings the committee may hold special meetings on the call of the chairman or any five members thereof. All meetings of the committee shall be held at the County courthouse or some other public place designated by the chairman. Notice of meetings shall be given in the manner required for notice of meetings of the Citizens Supervisory Committee, hereby abolished.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved:

M. THOMAS MURPHY

OTTO E. SIMON

Register, 4-5, 4-12, 4-19, 4-26

W. M. Curran being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and that the attached notice appeared in the issue of The Mobile Register Apr. 5, 12, 19, 26, 1955.

W. M. CURRAN.

Sworn to and subscribed before me This 16th day of May, 1955

ALVIN A. JOHNSON,

Notary Public.

By Messrs. Brewer, Steagall, Murphy, Stembridge, Simon, Haltom, Meeks, Oden, Davis, Money, Lee (Lawrence), Hawkins, Brown (Lee), Dement, Vacca, Gregory, Solomon, Reynolds, Branyon, Hain, Mathison, McLendon, Kelly, Broadfoot, Edwards (Jefferson), Pirkle, Roberts, Edwards (Escambia) and Perry:

H. 232. To facilitate vehicular traffic in the State by providing for the construction, operation and maintenance of turnpike projects; authorizing the incorporation of Alabama Turnpike Authority and defining its powers and duties, including the power of condemnation; authorizing the Authority to finance turnpike projects by the sale and issuance of its revenue bonds payable solely from its tolls and other revenues and the proceeds of its bonds; providing that no debt of the State shall be incurred in the exercise of any of the powers granted by this act; authorizing the Authority to make rules and regulations for the use of each turnpike project and to collect tolls and other revenues for such use; authorizing the Authority to refund any of its bonds by the issuance of its refunding bonds; authorizing the Authority to issue its notes in anticipation of the issuance of any of its bonds; exempting from taxation all bonds and notes issued by the Authority, the income therefrom, and all properties of the Authority; providing that all such bonds and notes shall constitute negotiable instruments and shall be eligible for the investment of trust funds; prescribing conditions upon which such projects shall become free of tolls; authorizing the State Highway Department, with the Governor's approval, to make a preliminary study of any turnpike project; authorizing counties, municipalities and other political subdivision to transfer property to the Authority; conferring on the Authority certain powers with respect to public highways other than turnpike projects of the Authority and certain powers of entry upon real property for the purpose of making surveys; and prescribing certain penalties.

Ways and Means.

By Mr. Windle (with notice and proof):

H. 233. Relating to Pickens County; to amend Act No. 141, S. 329, approved June 28, 1949 which relates to the division of the county for

the purpose of selecting members of the County Board of Education; prescribes the duties, rights, qualification and compensation of such members; and provides for their election.

Local Legislation No. 1.

Notice and Proof H. 233:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA,
COUNTY OF PICKENS.

Notice is hereby given that a bill substantially as follows: will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Pickens County; to amend Act No. 141, S. 329, approved June 28, 1949, which relates to the division of the county for the purpose of selecting members of the County Board of Education; prescribes the duties, rights, qualification and compensation of such members; and provides for their election.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 5 of Act No. 141, S. 329, approved June 28, 1949 entitled "An Act to divide Pickens County into specified districts for the purpose of selection of members of the Board of Education of said County and to provide for the election and qualification of said members, to regulate the salary of such members and to define their rights and powers," (Acts of Alabama of 1949, page 167) is hereby amended to read as follows:

"Section 5. The members of the County Board of Education of Pickens County shall have and exercise the same rights, powers and duties as members of county board of education possess under the general law, and shall receive for their service as members of such board seven dollars and fifty cents per day and their actual traveling and hotel expenses incurred in attending meeting of the board and transacting the business of the board, provided that members of the board shall not be allowed pay for more than twenty-four days in any one year. The compensation of members of the board shall be paid from the public school funds of the county, and their expenses shall be paid in like manner as provided for the compensation of teachers."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

4-14-4tc

PROOF OF PUBLICATION

THE STATE OF ALABAMA,
PICKENS COUNTY

Before me, Jack M. Pratt, a Notary Public in and for said County, personally appeared J. G. Pratt Publisher of The Pickens County Herald & West Alabamian, a newspaper published in said County, who, being by me first duly sworn, states that the attached notice has been regularly published once a week for four (4) consecutive weeks in said paper

in issues dated as follow: April 14, 1955, April 21, 1955, April 28, 1955, May 5, 1955.

J. G. PRATT.

Subscribed and sworn to before me, this the 12th day of May, 1955

JACK M. PRATT,
Notary Public.

By Mr. Brassell:

H. 234. To amend Sections 94 to 101, inclusive, of Title 10 of the Code of Alabama of 1940, as heretofore amended, so as to make more specific provision for the consolidation or merger of two or more domestic corporations and of two or more domestic and foreign corporations and to provide for the transfer of the rights and properties of consolidating and merging foreign corporations to the resultant corporation.

Judiciary.

By Messrs. Johnson (Tallapoosa) and Adams:

H. 235. To amend Section 304, Title 55, Code of Alabama (1940), which relates to the pay plan for employees in the state service, by providing for a minimum wage which shall be paid state employees employed on an hourly-wage basis.

Ways and Means.

By Messrs. Selman and Shumate:

H. 236. Relating to the liability of counties for injury or damages resulting from the torts of their officers, agents and employees and from defects in the county roads and bridges.

Local Government.

By Mr. Kelly (With Notice and Proof):

H. 237. Relating to Winston County; reorganizing the county government; abolishing the Highway Board of Winston County and the Court of County Commissioners of Winston County, and creating in lieu thereof the Board of Revenue of Winston County; prescribing the jurisdiction of the Board of Revenue and prescribing its powers and duties; providing for the selection of its members and employees; and prescribing their qualifications, terms, compensation, powers, and duties.

Local Legislation No. 1.

Notice and Proof H. 237.

STATE OF ALABAMA,
COUNTY OF WINSTON.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Winston County; reorganizing the county government; abolishing the Highway Board of Winston County and the Court of County Commissioners of Winston County, and creating in lieu thereof the Board of Revenue of Winston County; prescribing the jurisdiction of the Board of Revenue and prescribing its powers and duties; providing for the selection of its members and employees; and prescribing their qualifications, terms, compensation, powers, and duties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Highway Board of Winston County created by Act No. 333, Local Acts of Alabama, Regular Session, 1939, page 221, is abolished.

Section 2. There is hereby created and established a Board of Revenue of Winston County. The Board of Revenue shall be composed of three members, a chairman and two associate members, all of whom must be qualified electors of Winston County. One associate member of the Board must be a resident of the area of the county now constituting the Double Springs Division of the County Court of Winston County (that is, the area composed of Beats 1, 4, 5, 6, 7, 8, and 9), which area shall be known as District No. 1; the other associate member must be a resident of the area of the county now constituting the Haleyville Division of the County Court of Winston County (Beats 2, 3, 10 and 11), which area shall be known as District No. 2. The chairman of the Board may reside any where in Winston County.

Section 3. Immediately upon the taking effect of this Act, the Governor shall appoint three qualified persons to serve as members of the Board of Revenue of Winston County. At the time such appointments are made, the Governor shall designate the person who shall serve as chairman of the Board. The two associate members of the Board appointed by the Governor shall serve, subject to removal by the Governor, until the first Monday after the second Tuesday in January, 1959, and until their successors are elected and qualified. One associate member of the Board shall be elected at the general election to be held in November, 1958, and every four years thereafter, by the qualified electors of each of the two districts hereinabove established for the election of associate members of the Board. Associate members of the Board elected under the provisions of this Act shall serve for terms of four years from the first Monday after the second Tuesday in January next succeeding their election, and until their successors are elected and qualified. In the event of a vacancy in the office of associate member of the Board, the vacancy shall be filled by appointment by the Governor for the unexpired term. The chairman of the Board shall be appointed by the Governor, and shall serve at the pleasure of the Governor.

Section 4. Except as otherwise provided herein, the Board of Revenue shall have all the jurisdiction and powers which are now vested in the Highway Board of Winston County, and the members of the Board of Revenue shall perform all the duties and services which are now provided by law and exercise all the powers for the members of the Highway Board of Winston County.

Section 5. The Board of Revenue shall hold regular meetings on the second Monday of each month and may hold special meetings upon the call of the chairman or the two associate members of the Board. A majority of the members of the Board shall constitute a quorum for the transaction of business. The Board shall keep complete and accurate written minutes of all meetings, business transacted, and resolutions; and there shall be recorded therein the vote of each member. At each meeting the minutes of the previous meeting shall be read and all minutes shall be open to public inspection at reasonable times.

Section 6. The chairman of the Board of Revenue shall be its presiding officer, and shall have the same powers and authority as other members in passing upon all questions, and shall sign the minutes of

the proceedings of the Board, and shall sign all warrants drawn on the public road and bridge fund of the county unless in the event of his disability some other member of the Board shall be designated by an appropriate resolution of the Board so to do, and it shall be his duty to receive and prepare business and obtain information for the sessions of the Board, and to see to the execution of all orders thereof. He shall also serve as purchasing agent of the county, as hereinafter provided.

Section 7. The chairman of the Board of Revenue shall devote his entire time to the duties of his office, and shall receive as compensation four hundred dollars (\$400.00) per month. The associate members of the Board shall each receive a salary of three hundred dollars (\$300.00) per month, and shall receive five cents per mile for each mile actually traveled in the performance of their duties; provided, however, that no such associate member may receive more than twenty-five dollars (\$25.00) mileage pay in any one month. The compensation provided herein for the chairman and associate members of the Board shall be paid from any funds of the county available for that purpose, and shall be their entire compensation for the services required of them by this Act.

Section 8. Before entering upon the discharge of their duties, the chairman and associate members of the Board of Revenue shall each execute a bond, in the sum of seven thousand five hundred dollars (\$7,500.00) in the case of the chairman, and in the sum of three thousand dollars (\$3,000.00) in the case of the associate members. The bonds shall be payable to Winston County, with good and sufficient surety, and shall be conditioned upon the faithful discharge of their duties of office. Then bonds shall be filed and recorded in the office of the judge of probate of Winston County, and the premiums thereon shall be paid by the county.

Section 9. The roads and bridges of the county shall be constructed, repaired, and maintained on the basis of the county as a unit and without regard to district lines. No county personnel or equipment shall be allocated or used in the construction, repair, and maintenance of county roads and bridges on any basis other than the county as a unit. The Board of Revenue shall adopt annually a detailed financial budget to be followed during the ensuing year in the construction, repair and maintenance of the roads and bridges of the entire county.

The budget shall specify the roads and bridges to be repaired and where new roads and bridges are to be located and constructed, and shall allocate a specific amount or portion of county funds for such repairs and construction. The budget shall not be departed from except in case of emergency upon a unanimous vote of the Board.

Section 10. In addition to its other duties and authorities, the Board of Revenue shall appoint a construction superintendent for Winston County. The county construction superintendent shall have general supervision of the road and bridge work of the county, under the direction of the Board of Revenue, and shall devote his entire time and attention to the duties of his office. The county construction superintendent shall serve at the pleasure of the Board, and shall receive as compensation for the services required of him by this Act such salary as may be fixed by the Board.

Section 11. Subject to the direction and approval of the Board of Revenue, the county construction superintendent shall:

- 1) Exercise general powers of supervision over the construction and maintenance of the county public roads and bridges, and cooperate

with the county engineer toward the end that the road and bridge work of the county may be performed as effectively as possible;

2) employ, and when necessary terminate the employment of, such employees as are necessary to construct, repair, and maintain the county public roads and bridges;

3) fix, from time to time, in accordance with prevailing economic conditions, the scales of salaries or wages to be paid for labor necessary to the construction, repair, and maintenance of the county roads and bridges;

4) submit regular reports to the members of the Board toward the end that the policies of the Board may be properly carried out; and

5) perform such other duties as may be required by the Board of Revenue.

Section 12. The county construction superintendent shall give bond of such character and such sum as the Board of Revenue shall from time to time prescribe, payable to Winston County. The Board of Revenue may authorize the payment of the premium for the bond out of county funds.

Section 13. The chairman of the Board of Revenue shall also serve as purchasing agent for the county, and shall negotiate for the purchase and acquisition of all supplies, equipment, materials, or contractual services required or used by the county or any of its officers, departments, and agencies. The purchasing agent shall obtain information from the division of purchases and stores of the state department of finance concerning the price to the State of the items to be purchased, and, except in an emergency or for other sufficient cause, shall award no purchase at a price in excess of that to the State for similar supplies, materials, equipment, or services. Any official or person who purchases or procures any supplies, materials, equipment, or services contrary to the provisions of this section shall be personally liable for the amount of such purchase.

Section 14. The purchasing agent shall keep a current inventory of all property owned or leased by the county, which inventory record shall show where such property is located and in whose possession or under whose control it is.

Section 15. The Board of Revenue may appoint such clerical assistance as is necessary for the convenient and orderly transaction of its business, and fix their salaries and terms of employment.

Section 16. No successors shall be elected or appointed to succeed the incumbent members of the Court of County Commissioners of Winston County; and, upon the expiration of the terms for which the incumbents were elected, the Court of County Commissioners of Winston County shall be abolished. Upon the expiration of the terms of the commissioners whose terms first expire, the judge of probate and the remaining commissioners shall serve as the Court of County Commissioners of Winston County until the expiration of the terms for which such remaining commissioners were elected. Upon the expiration of the terms of all the incumbent county commissioners of Winston County, the judge of probate shall cease to serve as member and principal judge of the county governing body; and the Board of Revenue established hereby shall be the governing body of the county, and shall have and exercise all the jurisdiction, powers, and authority conferred on or vested in courts of county commissioners, boards of revenue and like county governing bodies under the general laws of the State. After such time, the

chairman of the Board of Revenue shall sign all warrants drawn on the county treasury unless in the event of his disability some other member of the Board shall be designated by an appropriate resolution of the Board so to do; and the chairman, in lieu of the judge of probate, shall exercise all the powers and perform all the duties required of judges of probate as to matters coming before courts of county commissioners.

Section 17. All laws or parts of laws which conflict with this Act are repealed.

Section 18. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 19. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**STATE OF ALABAMA,
WINSTON COUNTY.**

Personally appeared the undersigned who being duly sworn says that he is the Publisher of the Winston County Times, a newspaper published weekly in Haleyville, Alabama, and that the notice hereto attached was published in said newspaper for four consecutive weeks, on to-wit: April 21 and 28, and May 5 and 12, 1955.

J. W. AYRES

Sworn to and subscribed before me this May 16, 1955.

GRADY N. MARTIN,
Notary Publisher

By Messrs. Thomas, Lee (Barbour), Perry, Meeks, Hawkins, Brannan and Summerlin:

H. 238. To authorize any city in the State to provide a site on which the United States Government may establish an air-craft control and warning station, prescribing the procedure for acquiring and conveying such land; and authorizing the city to cooperate in other ways with the United States in the establishment and operation of such station.

Local Government.

By Messrs. Lee (Barbour), Kendall, Ward, Crook, McLendon, Thomas, and Brown (Lee):

H. 239. To amend further Sections 12 and 15 of Title 30, Code of Alabama (1940), which relate to the compensation of members and clerks of jury commissions.

Ways and Means.

By Mr. Hawkins:

H. 240. To make an additional appropriation to the Department of Finance, Division of Service, for the payment of salaries, repairs and alterations, additions and betterments, and equipment purchases for State buildings for the fiscal year ending September 30, 1955.

Ways and Means.

BILLS ON THIRD READING

H. 157. Relating to Lawrence County; to authorize the Board of Revenue to compensate certain employees of the county who were in-

jured while engaged in the performance of their duties as such county employees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Elmore)	Oden
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Payne
Albea	Edwards (Jefferson)	Kelly	Perry
Ashworth	Faulk	Killough	Pirkle
Bassett	Ferrell	Kirkham	Pruitt
Boyd	Franklin	Lackey	Ramey
Bradford	Gist	Law	Reynolds
Brannan	Goodwyn	Lee (Barbour)	Selman
Branyon	Gregory	Lee (Lawrence)	Shumate
Brassell	Grouby	Locke (Choctaw)	Simon
Brewer	Hain	McClendon	Solomon
Broadfoot	Haltom	McKay	Speaks
Brooks	Hanby	McLendon	Steagall
Brown (Lamar)	Hardy	Mathews	Stokes
Brown (Lee)	Hare	Mathison	Taylor
Cornett	Harvey	Meeks	Thomas
Cox	Hawkins	Molette	Tyson
Crook	Hodges	Murphy	Vacca
Davis	Holliman	Nettles	Ward
deGraffenried	Huddleston	Nice	Windle
Dement	Hunt	Nolen	Wood
DeSear	Jenkins	Oakley	

—87

And the bill:

H. 162. Relating to a reorganization of the government of St. Clair County; abolishing the Court of County Commissioners of St. Clair County and creating in lieu thereof the Board of Revenue of St. Clair County; providing for the election of the members of the Board, and prescribing their qualifications, terms, and compensation; and providing for the organization, powers, jurisdiction, and duties of the Board, and the authority and duties of its individual members.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Brown (Lee)	Franklin	Huddleston
Adams	Burkhalter	Gist	Hunt
Albea	Callahan	Goodwyn	Jenkins
Ashworth	Cornett	Gregory	Johnson (Elmore)
Bassett	Cox	Grouby	Johnson (Tallapoosa)
Boyd	Crook	Hain	Kelly
Bradford	Davis	Hall	Killough
Branyon	Dement	Hanby	Kirkham
Brassell	DeSear	Hardy	Lackey
Brewer	Edwards (Escambia)	Hare	Law
Broadfoot	Edwards (Jefferson)	Hawkins	Lee (Barbour)
Brooks	Faulk	Hodges	Lee (Lawrence)
Brown (Lamar)	Ferrell	Holliman	Locke (Choctaw)

Locke (Perry)	Nettles	Reynolds	Stembridge
McClendon	Nice	Roberts	Stokes
McKay	Nolen	Selman	Taylor
McLendon	Oakley	Shumate	Thomas
Mathews	Oden	Simon	Tyson
Mathison	Payne	Solomon	Vacca
Meeks	Pirkle	Speaks	Windle
Molette	Ramey	Steagall	Wood
Murphy			

—85

And the bill:

H. 165. Relating to Talladega County; to authorize the county governing body to appropriate county funds, within prescribed limits, for the payments of certain obligations of the county.

Was read a third time at length and passed, and ordered sent forthwith to the State without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Ferrell	Killough	Payne
Adams	Franklin	Kirkham	Perry
Albea	Gist	Lackey	Pirkle
Ashworth	Goodwyn	Law	Pruitt
Boyd	Gregory	Lee (Barbour)	Ramey
Bradford	Grouby	Lee (Lawrence)	Reynolds
Brannan	Hain	Locke (Choctaw)	Roberts
Branyon	Hall	Locke (Perry)	Selman
Brassell	Haltom	McClendon	Shumate
Brewer	Hanby	McKay	Simon
Broadfoot	Hardy	McLendon	Solomon
Brooks	Hare	McNider	Speaks
Brown (Lamar)	Harvey	Mathews	Steagall
Burkhalter	Hawkins	Mathison	Stembridge
Cornett	Hodges	Meeks	Stokes
Cox	Holliman	Molette	Taylor
Crook	Huddleston	Murphy	Thomas
Davis	Hunt	Nettles	Tyson
deGraffenried	Jenkins	Nice	Vacca
DeSear	Johnson (Elmore)	Nolen	Ward
Dickson	Johnson (Tallapoosa)	Oakley	Windle
Edwards (Escambia)	Kelly	Oden	Wood
Edwards (Jefferson)			

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BILL INDEFINITELY POSTPONED

On motion of Mr. Thomas, the bill, S. 31, was indefinitely postponed.

RECESS

On motion of Mr. Thomas the House recessed until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:00 o'clock P.M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 3. To extend, alter and rearrange the boundary lines and corporate limits of the City of Eufaula, in Barbour County, Alabama.

Also:

H. 6. To alter or re-arrange the boundary lines of the Town of Centre, Cherokee County, Alabama, so as to include within the Corporate limits of said Town all territory now within such corporate limits and also certain other territory in Cherokee County, Alabama.

Also:

H. 7. To regulate the sale of alcoholic beverages in Colbert County.

Also:

H. 18. To Amend Act No. 18, H. 6, approved February 17, 1955, creating the Cullman County Commission on Education and establishing the office of Superintendent of County Schools.

Also:

H. 20. To amend Section nine of Act No. 436, S. 523, approved July 29, 1907, the Act which created and established a commission known as "Selma Water Works Commission," (1907 Local Acts 554).

Also:

H. 48. Relating to Lauderdale County, directing the board of registrars to purge the list of registered voters; requiring and prescribing the procedure for the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Also:

H. 49. To amend Act No. 39, S. 13, approved February 18, 1955, the Act abolishing the Board of Revenue of Lauderdale County and re-establishing a Court of County Commissioners, by repealing Section 8 of said Act.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Lamberth, Van Antwerp, Allen, Eddins, Leonard, Roberts, Yarbrough (Randolph), Givhan, Vann, Smith, Metcalf, Dyar, Cantrell, Goodwin, James, Moses, Newton, Engelhardt, Grisham, Flowers, Cooper, Little, Skidmore, Davis (Lowndes) and Jones:

S. 48. To amend Title 51, Section 632, Code of Alabama 1940, as amended, which relates to distribution of tax on lubricating oil.

Also:

By Mr. Bradford:

S. 63. Relating to banks; amending further Section 82 of Title 5, Code of Alabama (1940).

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 48. Ways and Means.

S. 63. Business and Labor.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Lamberth, Van Antwerp, Allen, Eddins, Leonard, Roberts, Yarbrough (Randolph), Givhan, Vann, Smith, Metcalf, Dyar, Cantrell, James, Goodwin, Moses, Newton, Engelhardt, Grisham, Flowers, Cooper, Little, Skidmore, Davis (Lowndes) and Jones:

S. 50. To amend Sections 6, 8 and 10 and to repeal Sections 11, 12, 13, 14, and 16 of Act No. 585 entitled "An Act To create a Department of Public Safety; to provide for the appointment by the Governor of the Director thereof; to provide for the salary of said Director, and that said salary may be fixed by the Governor; to authorize the creation of divisions within said department and the appointment under the provisions of the Merit System of the chiefs of said divisions and other employees; to prescribe the duties and powers of the Director of the Department of Public Safety, and to enumerate the laws which said Director shall administer and enforce; to provide for the disposition of costs, fees and mileage of Highway Patrol officers when attending courts; to provide for the police powers possessed by members of the State Highway Patrol; to provide for the payment of the compensation of officers, agents and employees of the Department of Public Safety, and to provide for the payment of expenses for necessary equipment; to create a fund in the State Treasury to be known as the State Public Highway and Traffic Control Fund, and to prescribe the monies which shall be paid into said fund; to require that expenditures of the Department of Public Safety shall be limited to amounts appropriated by the Legislature out of the State Public Highway and Traffic Control Fund; to provide for the liability of members of the State Highway Patrol on their official bonds; to prescribe an arrest fee for Highway Patrol officers, and the payment of said fee into the State Public Highway and Traffic Control Fund; to provide that any unencumbered balance in the State Public Highway and Traffic Control Fund at the end of any two year drivers' licensing period shall be paid into the Public Road and Bridge Fund of the Highway Department; to require the State Comptroller to record the source of funds paid into the State Public Highway and Traffic Control Fund; to authorize the Department of Public Safety to promulgate rules and regulations having the force and effect of law and to provide for a penalty for the violation thereof; to transfer all monies or funds in the Highway Patrol Fund to the State Public Highway and Traffic Control Fund, and to authorize any appropriation heretofore made from said Highway Patrol Fund to be paid out of said State Public Highway and Traffic Control Fund; and to provide for the effective date of this Act." approved September 11, 1953.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 50. Ways and Means.

BILLS ON THIRD READING RESUMED

H. 1. To amend Sections 20 and 21 of Title 30, Code of Alabama (1940), which relate to the qualifications of persons on jury rolls.

Was taken up.

Mr. deGraffenried offered the following substitute for the bill, H. 1.

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 20 and 21 of Title 30, Code of Alabama (1940), which relate to the qualifications of persons on jury rolls.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 20, Title 30, Code of Alabama (1940), as amended, is amended further to read as follows:

"Section 20. The jury commission shall meet in the court house at the county seat of the several counties annually, between the first day of August and the twentieth day of December, and shall make in a well bound book a roll containing the name of every citizen living in the county who possesses the qualifications herein prescribed and who is not exempted by law from serving on juries. The roll shall be arranged alphabetically and by precincts in their numerical order and the jury commission shall cause to be written on the roll opposite every name placed thereon the occupation, residence and place of business of every person selected, and if the residence has a street number it must be given. Upon the completion of the roll the jury commission shall cause to be prepared plain white cards all of the same size and texture and shall have written or printed on the cards the name, occupation, place of residence and place of business of the person whose name has been placed on the jury roll, writing or printing but one person's name, occupation, place of residence and of business on each card. These cards shall be placed in a substantial metal box provided with a lock and two keys, which box shall be kept in a safe or vault in the office of the probate judge, and if there be none in that office, the jury commission shall deposit it in any safe or vault in the court house to be designated on the minutes of the commission; and one of said keys thereof shall be kept by the president of the jury commission. The other of said keys shall be kept by a judge of a court of record having juries, other than the probate or circuit court, and in counties having no such court then by the judge of the circuit court, for the sole use of the judges of the courts of said county needing jurors. The jury roll shall be kept securely and for the use of the jury commission exclusively. It shall not be inspected by any one except the members of the commission or by the clerk of the commission upon the authority of the commission, unless under an order of the judge of the circuit court or other court of record having jurisdiction."

Section 2. Section 21, Title 30, Code of Alabama (1940), as amended, is amended further to read as follows:

"Section 21. The jury commission shall place on the jury roll and in the jury box the names of all male and female citizens of the county who are generally reputed to be honest and intelligent men and women and are esteemed in the community for their integrity, good character and sound judgment; but no person must be selected who is under twenty-one or who is an habitual drunkard, or who, being afflicted with a permanent disease or physical weakness is unfit to discharge the duties of a juror, or cannot read English or who has ever been convicted of any offense involving moral turpitude. If a person cannot read English and has all the other qualifications prescribed herein and is a freeholder or householder his name may be placed on the jury roll and in the jury box. No person over the age of sixty-five years shall be required to serve on a jury or to remain on the panel of jurors unless he is willing to do so."

Section 3. This Act shall become effective on January 1, 1956.

The motion of Mr. Hawkins to lay on the table the substitute offered by Mr. deGraffenried was lost.

Yeas 45; Nays 54.

Yeas:

Mr. Speaker	Goodwyn	Johnson (Tallapoosa)	Nolen
Adams	Gregory	Kelly	Roberts
Ashworth	Grouby	Killough	Selman
Branyon	Hall	Lackey	Shumate
Brassell	Haltom	Law	Simon
Burkhalter	Hanby	Lee (Lawrence)	Steagall
Davis	Hare	McNider	Stembridge
Dement	Harrison	Mathews	Taylor
Edwards (Escambia)	Hodges	Mathison	Vacca
Edwards (Jefferson)	Huddleston	Murphy	Ward
Ferrell	Johnson (Elmore)	Nice	Wood
Franklin			

—45

Nays:

Messrs.	DeSear	Lee (Barbour)	Payne
Albea	Dickson	Locke (Choctaw)	Perry
Boyd	Faulk	Locke (Perry)	Pirkle
Bradford	Gist	Love	Pruitt
Brannan	Hain	McClendon	Ramey
Brewer	Hardy	McKay	Reynolds
Broadfoot	Harvey	McLendon	Richardson
Brooks	Hawkins	Martin	Solomon
Brown (Lamar)	Holliman	Meeks	Speaks
Brown (Lee)	Hunt	Molette	Stokes
Callahan	Jenkins	Money	Summerlin
Cornett	Kaul	Nettles	Thomas
Crook	Kendall	Oakley	Tyson
deGraffenried	Kirkham	Oden	

—54

And the substitute offered by Mr. deGraffenried was adopted.

Yeas 75; Nays 22.

Yeas:

Mr. Speaker	Ashworth	Boyd	Branyon
Albea	Bassett	Brannan	Brassell

Brewer	Franklin	Kendall	Nettles
Broadfoot	Gist	Killough	Nolen
Brooks	Goodwyn	Lackey	Oden
Brown (Lamar)	Gregory	Law	Payne
Brown (Lee)	Grouby	Lee (Barbour)	Perry
Callahan	Hain	Lee (Lawrence)	Pirkle
Cornett	Hall	Locke (Choctaw)	Pruitt
Crook	Haltom	Locke (Perry)	Reynolds
Davis	Hanby	McClendon	Shumate
deGraffenried	Hardy	McKay	Speaks
Dement	Hare	McLendon	Stokes
DeSear	Harvey	McNider	Summerlin
Dickson	Hawkins	Martin	Thomas
Edwards (Escambia)	Hunt	Mathews	Tyson
Edwards (Jefferson)	Johnson (Elmore)	Mathison	Vacca
Faulk	Kaul	Meeks	Ward
Ferrell	Kelly	Molette	

—75

Nays:

Messrs.	Holliman	Money	Selman
Adams	Huddleston	Murphy	Simon
Brauford	Jenkins	Love	Steagall
Burkhalter	Johnson (Tallapoosa)	Ramey	Stembridge
Harrison	Kirkham	Richardson	Taylor
Hodges	Nice	Roberts	

—22

Mr. Stokes offered the following amendment to the bill, H. 1, as amended:

Amendment of H.B. 1, as amended:

Strike out Section 3 of the bill and substitute the following:

Section 3. This Act shall not become operative unless it is approved by a majority of the qualified electors voting at a referendum election held for that purpose. The election shall be held on the same day as the first statewide election held after the date of this enactment. The question to appear on the ballots shall be substantially stated as follows: "Do you favor jury service for women in the State of Alabama?" If a majority of those voting at such election vote "yes," this Act shall be effective immediately; if a majority vote "no," this Act shall have no further effect. The election shall be held and conducted, and notice thereof shall be given in the manner provided by law for holding elections on constitutional amendments.

On motion of Mr. Hawkins the amendment offered by Mr. Stokes was laid upon the table.

Yeas 55; Nays 43.

Yeas:

Mr. Speaker	Cornett	Gregory	Huddleston
Adams	Davis	Grouby	Johnson (Elmore)
Albea	deGraffenried	Hall	Johnson (Tallapoosa)
Ashworth	Dement	Haltom	Kaul
Branyon	Edwards (Escambia)	Hanby	Kelly
Brassell	Edwards (Jefferson)	Hare	Lackey
Broadfoot	Ferrell	Harrison	Law
Brown (Lamar)	Franklin	Hawkins	Lee (Lawrence)
Burkhalter	Goodwyn	Hodges	Love

McNider
Mathews
Mathison
Meeks
Money

Nice
Nolen
Perry
Ramey
Roberts

Selman
Shumate
Speaks
Steagall
Stembridge

Tyson
Vacca
Windle
Wood

—55

Nays:

Messrs.
Boyd
Bradford
Brannan
Brewer
Brooks
Brown (Lee)
Callahan
Crook
DeSear
Dickson

Faulk
Gist
Hain
Hardy
Harvey
Holliman
Jenkins
Kendall
Killough
Kirkham
Lee (Barbour)

Locke (Choctaw)
Locke (Perry)
McClendon
McKay
McLendon
Martin
Molette
Murphy
Nettles
Oakley
Oden

Payne
Pirkle
Pruitt
Reynolds
Richardson
Simon
Solomon
Stokes
Summerlin
Taylor
Thomas

—43

Mr. Oakley offered the following amendment to the bill, H. 1, as amended:

Amendment of H.B. 1, as amended:

Add the following proviso at the end of Section 2 of the bill:

Provided, that women shall not be permitted to serve on juries in any county unless the question is first submitted to a vote of the qualified electors of the county and approved by a majority of those voting at an election held for such purpose. Such election shall be held on petition of electors in the same manner and under the same terms and conditions as wet and dry referendums are held pursuant to Title 29 of the 1940 Code.

On motion of Mr. Hawkins the amendment offered by Mr. Oakley was laid upon the table.

Yeas 57; Nays 41.

Yeas:

Mr. Speaker
Adams
Albea
Ashworth
Branyon
Brassell
Broadfoot
Brown (Lamar)
Burkhalter
Callahan
Cornett
Davis
deGraffenried
Dement
Edwards (Escambia)

Edwards (Jefferson)
Ferrell
Franklin
Goodwyn
Gregory
Grouby
Hall
Haltom
Hanby
Hare
Harrison
Hawkins
Hodges
Huddleston

Hunt
Johnson (Elmore)
Johnson (Tallapoosa)
Kaul
Kelly
Lackey
Law
Lee (Lawrence)
Love
McNider
Mathews
Mathison
Meeks
Money

Nice
Nolen
Oden
Perry
Reynolds
Roberts
Selman
Shumate
Speaks
Stembridge
Stokes
Tyson
Vacca
Ward

—57

Nays:

Messrs.
Bassett

Boyd
Bradford

Brannan
Brewer

Brooks
Brown (Lee)

Crook	Jenkins	McLendon	Ramey
DeSear	Kendall	Martin	Richardson
Dickson	Killough	Molette	Simon
Faulk	Kirkham	Murphy	Solomon
Gist	Lee (Barbour)	Nettles	Summerlin
Hain	Locke (Choctaw)	Oakley	Taylor
Hardy	Locke (Perry)	Payne	Thomas
Harvey	McClendon	Pruitt	Windle
Holliman	McKay		

—41

Mr. Brassell offered the following amendment to the bill, H. 1, as amended:

Amendment to H. B. 1, as amended:

Amend Section 3 of House Bill 1 to read as follows: This Act shall take effect upon its passage and approval.

And the amendment was adopted.

Yeas 44; Nays 37.

Yeas:

Messrs.	Cox	Hanby	Mathison
Adams	Crook	Hardy	Nettles
Albea	Davis	Hare	Nolen
Ashworth	Dement	Harrison	Oakley
Bassett	Edwards (Escambia)	Hawkins	Reynolds
Boyd	Gist	Holliman	Selman
Bradford	Goodwyn	Huddleston	Shumate
Branyon	Grouby	Hunt	Solomon
Brassell	Hain	Kelly	Speaks
Brewer	Hall	McLendon	Steagall
Broadfoot	Haltom	Mathews	Summerlin
Cornett			

—44

Nays:

Mr. Speaker	Jenkins	McClendon	Ramey
Brannan	Kaul	McKay	Richardson
Brown (Lamar)	Killough	Martin	Roberts
Brown (Lee)	Kirkham	Meeks	Simon
Callahan	Lackey	Murphy	Taylor
DeSear	Lee (Barbour)	Nice	Thomas
Edwards (Jefferson)	Locke (Choctaw)	Payne	Tyson
Faulk	Locke (Perry)	Perry	Ward
Gregory	Love	Pruitt	Windle
Harvey			

—37

And said bill, H. 1, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 32.

Yeas:

Mr. Speaker	Boyd	Brown (Lamar)	Dement
Adams	Branyon	Callahan	Dickson
Albea	Brassell	Cox	Edwards (Escambia)
Ashworth	Brewer	Davis	Edwards (Jefferson)
Bassett	Broadfoot	deGraffenried	Gist

Goodwyn	Hunt	Meeks	Shumate
Gregory	Johnson (Elmore)	Money	Solomon
Grouby	Johnson (Tallapoosa)	Nice	Speaks
Hain	Kaul	Nolen	Steagall
Hall	Kelly	Oden	Stembridge
Haltom	Lackey	Perry	Stokes
Hanby	Law	Ramey	Summerlin
Hare	Lee (Lawrence)	Reynolds	Tyson
Hawkins	McNider	Roberts	Ward
Hodges	Mathews	Selman	Wood
Huddleston	Mathison		

—62

Nays:

Messrs.	Harrison	Locke (Choctaw)	Oakley
Broadfoot	Harvey	Locke (Perry)	Pirkle
Brown (Lee)	Holliman	Love	Pruitt
Cornett	Jenkins	McClendon	Richardson
Crook	Kendall	McKay	Simon
DeSear	Killough	McLendon	Taylor
Faulk	Kirkham	Martin	Thomas
Hardy	Lee (Barbour)	Murphy	Windle

—32

PAIRS ANNOUNCED

Mr. Brannan announced that he was paired with Mr. Dawkins. If Mr. Dawkins were present he would vote "yea" and Mr. Brannan would vote "nay".

Mr. Payne announced that he was paired with Mr. Molette. If Mr. Molette were present he would vote "nay" and Mr. Payne would vote "yea".

MOTION TO RECONSIDER TABLED

On motion of Mr. Hawkins, his motion to reconsider the vote by which the bill, H. 1, as amended, was passed, was laid upon the table.

**REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS**

Mr. **Speaker:**

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 3. To extend, alter and rearrange the boundary lines and corporate limits of the City of Eufaula, in Barbour County, Alabama.
Also:

H. 6. To alter or re-arrange the boundary lines of the Town of Centre, Cherokee County, Alabama, so as to include within the Corporate limits of said Town all territory now within such corporate limits and also certain other territory in Cherokee County, Alabama.

Also:

H. 7. To regulate the sale of alcoholic beverages in Colbert County.

Also:

H. 18. To Amend Act No. 18, H. 6, approved February 17, 1955,

creating the Cullman County Commission on Education and establishing the office of Superintendent of County Schools.

Also:

H. 20. To amend Section nine of Act No. 436, S. 523, approved July 29, 1907, the Act which created and established a commission known as "Selma Water Works Commission," (1907 Local Acts 554).

Also:

H. 48. Relating to Lauderdale County, directing the board of registrars to purge the list of registered voters; requiring and prescribing the procedure for the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Also:

H. 49. To amend Act. No. 39, S. 13, approved February 18, 1955, the Act abolishing the Board of Revenue of Lauderdale County and re-establishing a Court of County Commissioners, by repealing Section 8 of said Act.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H.J.R. 14. Relative to the Legislature mourning the death of and extending sympathy to the family of their fellow colleague, Howard L. Bagley from Calhoun County.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

HJR 16. Relative to adjournment of the two Houses to meet again on Thursday, May 19, to meet again Tuesday, May 24, to meet again Thursday, May 26, to meet again Tuesday, May 31.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Hawkins the House concurred in and adopted the Senate substitute for the resolution, H.J.R. 16, said Senate substitute being as follows:

Substitute for HJR 16:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today they adjourn to meet again on Friday, May 20, 1955; when they adjourn on Friday, May 20, they adjourn to meet again on Tuesday, May 24, 1955.

BILLS ON THIRD READING RESUMED

H. 78. To amend Section 286, 287, and 290, of the Code of Alabama of 1940, Title 14.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Elmore)	Nolen
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Oakley
Albea	Edwards (Jefferson)	Kaul	Oden
Ashworth	Faulk	Kelly	Payne
Bassett	Ferrell	Kendall	Perry
Boyd	Franklin	Killough	Pirkle
Bradford	Gist	Kirkham	Pruitt
Brannan	Goodwyn	Lackey	Reynolds
Branyon	Gregory	Law	Richardson
Brassell	Grouby	Lee (Barbour)	Roberts
Brewer	Hain	Lee (Lawrence)	Selman
Broadfoot	Hall	Locke (Choctaw)	Shumate
Brooks	Haltom	Locke (Perry)	Simon
Brown (Lamar)	Hanby	McKay	Solomon
Brown (Lee)	Hardy	McLendon	Speaks
Burkhalter	Hare	McNider	Steagall
Callahan	Harvey	Martin	Stembridge
Cox	Hawkins	Mathews	Taylor
Crook	Hodges	Meeks	Tyson
Davis	Holliman	Money	Vacca
deGraffenried	Huddleston	Murphy	Ward
Dement	Hunt	Nettles	Windle
DeSear	Jenkins	Nice	Wood

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POINTS OF PERSONAL PRIVILEGE

Messrs. Burkhalter, Vacca and Franklin requested as a matter of personal privilege that the Journal show that they were absent from the House on official business when the bill, H. 1, was up for final passage. They requested that the Journal show that had they been present they would have voted "yea".

BILLS ON THIRD READING RESUMED

H. 98 (with substitute). To amend Section 38, Title 8, of the Alabama Code of 1940, relating to licenses for fishing on waters of this State.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Conservation, said committee substitute being as follows:

Substitute for H.B. 98:

**A BILL
TO BE ENTITLED
AN ACT**

To amend Section 38 of Title 8, Code of Alabama 1940, relating to licenses for fishing in waters of this State.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 38 of Title 8, Code of Alabama 1940 be, and the same is hereby amended so as to read as follows:

Any person who has been a bona fide resident of this State for six months next preceding may procure a county fishing license in the county in which he or she permanently resides by applying to any person who is duly authorized to issue said license, stating his or her name, age, color, place of residence and post office address, and after paying to the person issuing same a license fee of fifty cents.

Any person who has been a bona fide resident of this state for six months next preceding may procure a state fishing license by applying to any person in any county of the State who is duly authorized to issue said license, stating his or her name, age, color, place of residence and post office address, and after paying to the persons issuing same a license fee of two dollars.

No resident of this State over the age of sixteen years or under the age of sixty-five years shall take, catch, kill or attempt to take, catch or kill any fish in any of the waters of this State in which fresh water fish appear by angling with rod and reel (commonly called fly rod), bait, casting rod or trolling rod, or by the use of any artificial bait, fly, lure or hook and line without first procuring a state or county fishing license as provided for in paragraphs 1 and 2 of this section. Such fishing license shall not be transferable and it shall be unlawful to borrow or lend any such fishing license, provided, however, this license requirement shall not include any person who fishes on or from his own land nor shall it include any tenant or members of his family who fishes on or from lands leased or rented by such tenant and who resides on such lands.

The revenue derived from the sale of state or county fishing licenses shall be remitted to the Department of Conservation on the first day of each month and shall be covered into the State Treasury to the credit of the Game and Fish Fund and shall be used in the construction, maintenance, development and supervision of public fishing lakes and for the purchase of lands to be used for public landings on public streams and for the development, protection, propagation and distribution of fish and wildlife of this State.

Judges of probate and other persons authorized and designated to issue fishing licenses shall be entitled to a fee of fifteen cents for

each license so issued which fee shall be in addition to the amount designated in this Act as the cost of said licenses. Provided, however, that all such fees collected by any probate judge or license commissioner who is paid a salary for the performance of his duties shall be paid by him into the county treasury to the credit of the General Fund.

Any citizen of this State sixty-five years of age or older shall be entitled to a lifetime fishing license upon applying for same to any judge of probate, and upon payment of an issuing fee in an amount not to exceed fifteen cents. All applications for such license must be accompanied by satisfactory proof to the judge of probate issuing said license that the applicant has reached the age of sixty-five years.

Any person who violates any of the provisions of this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than ten dollars nor more than twenty-five dollars for each offense.

Section 2. All laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This Act shall become effective October 1, 1955.

On motion of Mr. McKay the substitute reported by the Standing Committee on Conservation was laid upon the table.

Yeas 50; Nays 44.

Yeas:

Messrs.	Franklin	Johnson ^(Tallapoosa)	Oakley
Adams	Gist	Kendall	Payne
Albea	Goodwyn	Killough	Pirkle
Ashworth	Grouby	Law	Pruitt
Bradford	Hain	Lee ^(Barbour)	Ramey
Brown ^(Lamar)	Hanby	Locke ^(Choctaw)	Richardson
Brown ^(Lee)	Hardy	Locke ^(Perry)	Solomon
Callahan	Harrison	McClendon	Speaks
Cornett	Hodges	McKay	Taylor
Cox	Holliman	McLendon	Thomas
deGraffenried	Hunt	McNider	Ward
DeSear	Jenkins	Martin	Windle
Faulk	Johnson ^(Elmore)	Nettles	

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Nays:

Mr. Speaker	Davis	Huddleston	Perry
Bassett	Dement	Kaul	Roberts
Boyd	Dickson	Kelly	Selman
Brannan	Edwards ^(Escambia)	Lackey	Shumate
Branyon	Edwards ^(Jefferson)	Lee ^(Lawrence)	Simon
Brassell	Ferrell	Love	Steagall
Brewer	Gregory	Mathison	Stembridge
Broadfoot	Hall	Money	Stokes
Brooks	Haltom	Murphy	Tyson
Burkhalter	Hare	Nolen	Vacca
Crook	Hawkins	Oden	Wood

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Mr. McKay offered the following substitute for the bill, H. 98:
Substitute for H.B. 98:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 38, Title 8 of the Alabama Code of 1940, relating to licenses for fishing on waters of this State.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 38, Title 8, of the Alabama Code of 1940 be, and the same is hereby amended so as to read as follows:

"Section 38. No resident of this State over the age of sixteen years or under the age of sixty-five years shall take, catch, kill or attempt to take, catch or kill any fish in any of the waters of this State in which fresh water fish appear by angling with rod and reel (commonly called fly rod), bait, casting rod or trolling rod, or by the use of any artificial bait, fly, or lure, without first procuring a fishing license and paying therefor the sum of two dollars and fifty cents and such fishing license shall not be transferable and it shall be unlawful to borrow or lend any such fishing license, provided, however, this license requirement shall not include any person who fishes on or from his own land nor shall it include any tenant or members of his family who fishes on or from lands leased or rented by such tenant and who resides on such lands. The license provided in this Section shall be procured in the manner as is provided for procuring a hunting license and under the same regulations provided therefor. The revenue derived from the sale of resident fishing licenses shall be remitted to the Department of Conservation on the first day of each month and shall be covered into the State Treasury to the credit of the Game and Fish Fund and shall be used in the construction, maintenance, development and supervision of public fishing lakes and for the purchase of lands to be used for public fishing lakes and public landings on public streams and for the development, protection, propagation and distribution of fish and wildlife of this State and for any additions and betterments of the Game and Fish Division of the Department of Conservation as may be deemed advisable by and at the discretion of the Director of Conservation. Any person who violates any of the provisions of this Section shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than ten dollars nor more than twenty-five dollars for each offense."

Section 2. All laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This Act shall become effective October 1, 1955.

The motion of Mr. McKay to lay on the table the motion of Mr. Davis to recommit the bill, H. 98, and pending substitute, was lost.

Yeas 35; Nays 56.

Yeas:

Messrs.	Faulk	Killough	Nolen
Adams	Franklin	Lackey	Payne
Albea	Gist	Law	Perry
Ashworth	Goodwyn	Lee (Barbour)	Richardson
Bassett	Hain	Locke (Choctaw)	Solomon
Boyd	Hanby	Locke (Perry)	Speaks
Brown (Lee)	Hardy	McKay	Taylor
Callahan	Hodges	Meeks	Thomas
DeSear	Holliman	Nettles	Ward

Nays:

Mr. Speaker	Dement	Jenkins	Murphy
Bradford	Dickson	Johnson (Tallapoosa)	Nice
Brannan	Edwards (Escambia)	Kaul	Oakley
Branyon	Edwards (Jefferson)	Kelly	Oden
Brassell	Ferrell	Kendall	Roberts
Brewer	Gregory	Lee (Lawrence)	Selman
Broadfoot	Grouby	Love	Shumate
Brooks	Hall	McClendon	Simon
Brown (Lamar)	Haltom	McLendon	Steagall
Burkhalter	Hare	McNider	Stembridge
Cornett	Harrison	Martin	Stokes
Crook	Hawkins	Mathews	Summerlin
Davis	Huddleston	Mathison	Windle
deGraffenried	Hunt	Money	Wood

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And the motion of Mr. Davis to recommit the bill, H. 98, and pending substitute, was adopted.

And the Speaker recommitted the bill, H. 98, and pending substitute, to the Standing Committee on Conservation.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:25 A.M. On May 17, 1955.

H.J.R. 12.

Delivered to the Governor at 3:15 P.M. On May 17, 1955.

H.J.R. 14.

H. 3.

H. 6.

H. 7.

H. 18.

H. 20.

H. 48.

H. 49.

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Lackey the House adjourned until Friday, May 20, 1955, at ten o'clock A.M.

SIXTH DAY

House of Representatives
Montgomery, Alabama
Friday, May 20, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Douglass Bennett, Pastor, Seventh Day Adventist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Faulk	Kendall	Oden
Adams	Ferrell	Killough	Payne
Albea	Franklin	Kirkham	Perry
Ashworth	Gist	Lackey	Pirkle
Bassett	Goodwyn	Law	Pruitt
Boyd	Gregory	Lee (Barbour)	Ramey
Bradford	Grouby	Lee (Lawrence)	Richardson
Branyon	Hain	Locke (Choctaw)	Roberts
Brassell	Hall	Locke (Perry)	Selman
Brewer	Haltom	Love	Shumate
Broadfoot	Hanby	McClendon	Simon
Brooks	Hardy	McKay	Solomon
Brown (Lamar)	Hare	McLendon	Speaks
Burkhalter	Harvey	McNider	Steagall
Callahan	Hawkins	Martin	Stembridge
Cornett	Hodges	Mathison	Stokes
Cox	Holliman	Meeks	Summerlin
Davis	Huddleston	Molette	Taylor
Dawkins	Hunt	Money	Thomas
deGraffenried	Jenkins	Murphy	Tyson
Dement	Johnson (Elmore)	Nettles	Vacca
DeSear	Johnson (Tallapoosa)	Nice	Ward
Dickson	Kaul	Nolen	Windle
Edwards (Escambia)	Kelly	Oakley	Wood
Edwards (Jefferson)			

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fifth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

Mr. Hawkins moved to suspend the rules in order to dispense with the reading at length of the Journal of the House for the fifth legislative day.

The call of Mr. Dawkins for a roll call on said motion was sustained.

MOTION TO RECESS ADOPTED

On motion of Mr. Adams the House recessed for ten minutes.

Yeas 57; Nays 18.

Yeas:

Mr. Speaker	Ashworth	Bradford	Brewer
Adams	Boyd	Branyon	Brooks

Brown (Lamar)	Grouby	Lee (Lawrence)	Oakley
Burkhalter	Hain	Locke (Choctaw)	Oden
Cornett	Hall	Locke (Perry)	Payne
Cox	Hardy	McClendon	Perry
Davis	Harvey	McKay	Ramey
Dement	Hodges	McLendon	Speaks
DeSear	Holliman	McNider	Steagall
Edwards (Jefferson)	Hunt	Martin	Stembridge
Ferrell	Johnson (Elmore)	Mathison	Stokes
Franklin	Johnson (Tallapoosa)	Molette	Taylor
Gist	Killough	Nettles	Vacca
Goodwyn	Lackey	Nolen	Windle
Gregory			

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Nays:

Messrs.	deGraffenried	Hawkins	Pirkle
Albea	Edwards (Escambia)	Huddleston	Selman
Brassell	Haltom	Kendall	Shumate
Broadfoot	Hanby	Love	Simon
Dawkins	Hare	Murphy	

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The House reconvened. The Speaker called the House to order.

MOTION IN WRITING

Mr. Adams offered the following Motion in Writing:

I move that under rule 6, the report of Committees be given special order at 11:15 A.M.

MOTION FOR PREVIOUS QUESTION

Mr. Stokes moved for the previous question.

MOTION TO ADJOURN LOST

The motion of Mr. Edwards (Escambia) to adjourn until Tuesday, May 24, 1955, at eleven o'clock A.M. was lost.

MOTION TO ADJOURN LOST

The motion of Mr. Edwards (Escambia) to adjourn until Tuesday, May 24, 1955, at eleven o'clock A.M. was lost.

Yeas 22; Nays 66.

Yeas:

Mr. Speaker	Cox	Haltom	Oden
Albea	Davis	Huddleston	Simon
Brassell	Dawkins	Locke (Choctaw)	Speaks
Broadfoot	Edwards (Escambia)	Murphy	Taylor
Brown (Lamar)	Gist	Nice	Tyson
Burkhalter	Gregory		

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Nays:

Messrs.	Branyon	DeSear	Grouby
Adams	Brooks	Dickson	Hain
Ashworth	Callahan	Edwards (Jefferson)	Hall
Bassett	Cornett	Ferrell	Hanby
Boyd	deGraffenried	Franklin	Hardy
Bradford	Dement	Goodwyn	Hare

Harvey	Lackey	Molette	Shumate
Hawkins	Law	Money	Solomon
Hodges	Lee (Barbour)	Nettles	Steagall
Holliman	Lee (Lawrence)	Nolen	Stembridge
Jenkins	Locke (Perry)	Oakley	Stokes
Johnson (Elmore)	McClendon	Payne	Summerlin
Johnson (Tallapoosa)	McKay	Pirkle	Thomas
Kelly	McLendon	Pruitt	Ward
Kendall	McNider	Richardson	Windle
Killough	Martin	Roberts	Wood
Kirkham	Mathews	Selman	

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MOTION TO ADJOURN LOST

The motion of Mr. Edwards (Escambia) to adjourn until Tuesday, May 24, 1955, at eleven o'clock A.M. was lost.

Yeas 36; Nays 52.

Yeas:

Mr. Speaker	deGraffenried	Hodges	Murphy
Albea	Dement	Huddleston	Pirkle
Branyon	Edwards (Escambia)	Kelly	Selman
Brassell	Faulk	Law	Shumate
Broadfoot	Ferrell	Locke (Choctaw)	Simon
Burkhalter	Gist	Love	Speaks
Callahan	Gregory	McNider	Taylor
Cox	Haltom	Mathison	Tyson
Dawkins	Hanby	Money	Vacca

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Nays:

Messrs.	Grouby	Lee (Barbour)	Oakley
Adams	Hain	Lee (Lawrence)	Payne
Ashworth	Hall	Locke (Perry)	Pruitt
Boyd	Hardy	McClendon	Richardson
Bradford	Hare	McKay	Roberts
Brewer	Harvey	McLendon	Solomon
Brooks	Holliman	Martin	Steagall
Cornett	Hunt	Mathews	Stembridge
Davis	Johnson (Elmore)	Meeks	Stokes
DeSear	Johnson (Tallapoosa)	Molette	Summerlin
Dickson	Kendall	Nettles	Thomas
Edwards (Jefferson)	Killough	Nice	Ward
Franklin	Kirkham	Nolen	Windle
Goodwyn			

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MOTION TO ADJOURN LOST

The motion of Mr. McNider to adjourn until Tuesday, May 24, 1955, at eleven o'clock A.M. was lost.

MOTION TO ADJOURN LOST

The motion of Mr. Hanby to adjourn until Tuesday, May 24, 1955, at eleven o'clock A.M. was lost.

Yeas 43; Nays 47.

Yeas:

Mr. Speaker	Brassell	Brown (Lamar)	Cox
Albea	Brewer	Burkhalter	Dawkins
Ashworth	Broadfoot	Callahan	deGraffenried

Dement	Haltom	Locke (Choctaw)	Selman
Edwards (Escambia)	Hanby	Love	Shumate
Faulk	Hare	McNider	Simon
Ferrell	Hodges	Mathison	Speaks
Gist	Huddleston	Murphy	Tyson
Gregory	Jenkins	Nice	Vacca
Grouby	Kelly	Oden	Ward
Hall	Law	Payne	

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Nays:

Messrs.	Goodwyn	Lee (Barbour)	Perry
Adams	Hain	Lee (Lawrence)	Pruitt
Boyd	Hardy	Locke (Perry)	Richardson
Bradford	Harvey	McClendon	Roberts
Branyon	Holliman	McKay	Solomon
Brooks	Hunt	McLendon	Steagall
Cornett	Johnson (Elmore)	Martin	Stembridge
Davis	Johnson (Tallapoosa)	Mathews	Stokes
DeSear	Kaul	Molette	Summerlin
Dickson	Kendall	Nettles	Taylor
Edwards (Jefferson)	Killough	Nolen	Thomas
Franklin	Kirkham	Oakley	Windle

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MOTION TO ADJOURN LOST

The motion of Mr. Selman to adjourn until Tuesday, May 24, 1955, at eleven o'clock A.M. was lost.

Yeas 46; Nays 48.

Yeas:

Mr. Speaker	Dement	Huddleston	Payne
Albea	Edwards (Escambia)	Kelly	Ramey
Ashworth	Faulk	Law	Richardson
Branyon	Ferrell	Lee (Lawrence)	Selman
Brassell	Gist	Love	Shumate
Brewer	Gregory	McNider	Simon
Broadfoot	Grouby	Mathison	Speaks
Brown (Lamar)	Haltom	Money	Tyson
Burkhalter	Hanby	Murphy	Vacca
Callahan	Hare	Nice	Ward
Cox	Hawkins	Oden	Wood
deGraffenried	Hodges		

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Nays:

Messrs.	Hain	Lackey	Oakley
Adams	Hardy	Lee (Barbour)	Perry
Bassett	Harvey	Locke (Choctaw)	Pirkle
Boyd	Holliman	Locke (Perry)	Pruitt
Bradford	Hunt	McClendon	Roberts
Brooks	Jenkins	McKay	Solomon
Cornett	Johnson (Elmore)	McLendon	Steagall
Davis	Johnson (Tallapoosa)	Martin	Stembridge
DeSear	Kaul	Meeks	Stokes
Dickson	Kendall	Molette	Taylor
Edwards (Jefferson)	Killough	Nettles	Thomas
Franklin	Kirkham	Nolen	Windle
Goodwyn			

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ADJOURNMENT

On motion of Mr. Simon the House adjourned until Tuesday, May 24, 1955, at twelve o'clock, noon.

Yeas 48; Nays 41.

Yeas:

Mr. Speaker	Cox	Hare	Nice
Albea	deGraffenried	Hawkins	Oden
Ashworth	Dement	Hodges	Payne
Bassett	Edwards (Escambia)	Huddleston	Ramey
Boyd	Faulk	Law	Richardson
Broadfoot	Ferrell	Lee (Lawrence)	Selman
Brassell	Gist	Locke (Choctaw)	Shumate
Brewer	Gregory	Love	Simon
Broadfoot	Grouby	McNider	Speaks
Brown (Lamar)	Hall	Mathison	Stembridge
Burkhalter	Haltom	Money	Tyson
Callahan	Hanby	Murphy	Ward

—48

Nays:

Messrs.	Hardy	Lee (Barbour)	Oakley
Adams	Harvey	Locke (Perry)	Perry
Branyon	Holliman	McClendon	Pruitt
Brooks	Hunt	McKay	Roberts
Cornett	Johnson (Elmore)	McLendon	Solomon
Davis	Johnson (Tallapoosa)	Martin	Steagall
DeSear	Kaul	Meeks	Stokes
Edwards (Jefferson)	Kendall	Molette	Taylor
Franklin	Killough	Nettles	Thomas
Goodwyn	Kirkham	Nolen	Windle
Hain	Lackey		

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SEVENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, May 24, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Merle C. Patterson, Minister, First Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Branyon	Cornett	Dickson
Adams	Brassell	Cox	Edwards (Escambia)
Albea	Brewer	Crook	Edwards (Jefferson)
Ashworth	Broadfoot	Davis	Faulk
Bassett	Brooks	Dawkins	Ferrell
Boyd	Brown (Lamar)	deGraffenried	Franklin
Bradford	Burkhalter	Dement	Gilchrist
Brannan	Callahan	DeSear	Gist

Goodwyn	Johnson (Tallapoosa)	Mathews	Richardson
Gregory	Kaul	Mathison	Roberts
Grouby	Kelly	Meeks	Selman
Hain	Kendall	Molette	Shumate
Hall	Killough	Money	Simon
Haltom	Kirkham	Murphy	Solomon
Hanby	Lackey	Nettles	Speaks
Hardy	Law	Nice	Steagall
Hare	Lee (Barbour)	Nolen	Stembridge
Harrison	Lee (Lawrence)	Oakley	Stokes
Harvey	Locke (Choctaw)	Oden	Summerlin
Hawkins	Locke (Perry)	Payne	Taylor
Hodges	Love	Perry	Thomas
Holliman	McClendon	Pirkle	Tyson
Huddleston	McKay	Pruitt	Vacca
Hunt	McLendon	Ramey	Windle
Jenkins	McNider	Reynolds	Wood
Johnson (Elmore)	Martin		

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A quorum was present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 71. Relating to Mobile County: Fixing the salary of the judge of probate.

Also:

H. 72. To fix the salary of the tax assessor of Mobile County and to regulate the payment thereof.

Also:

H. 73. To apply in all counties having a population of not less than 230,000 nor more than 500,000 inhabitants, according to the last or any subsequent federal decennial census; to fix the compensation of the commissioner of licenses in all such counties.

Also:

H. 74. To provide further for the compensation of circuit judges in circuits composed of one county and having not less than four nor more than nine circuit judges.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 131. Relating to Perry County, Alabama, prohibiting the installation or operation of coin operated parking meter devices in any city, town or other incorporated municipality located therein; unless the installation or operation thereof is first authorized by a majority vote of the qualified electors of such municipal corporation or town affected.

Also:

H. 93. To apply in Elmore and Tallapoosa counties; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 114. To regulate further the compensation of county superintendents of education in all counties having a population of not less than 19,200 nor more than 20,000 inhabitants, according to the last or any subsequent federal decennial census.

Also:

H. 105. To alter or rearrange the bounday lines of the City of Andalusia, Covington County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Covington County, Alabama.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:
By Messrs. Allen, Cantrell, Grisham and Lamberth:

S. 8. To amend further Section 15 of Title 30, Code of Alabama (1940), which relates to the remuneration of clerks of jury commissions, raising the per diem of such clerks from five to ten dollars a day.

Also:

By Mr. Robison:

S. 71. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Montgomery County.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 8. Ways and Means.

S. 71. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:

By Messrs. Metcalf, Lamberth and Flowers:

S.J.R. 9. JOINT RESOLUTION FOR A COMMITTEE TO STUDY THE POSSIBILITY OF PRESERVING ALABAMA'S WORLD WAR II SELECTIVE SERVICE RECORDS

Resolved by the Senate of Alabama, the House of Representatives concurring, that the President of the Senate shall appoint three members of the Senate, and the Speaker of the House shall appoint four members of the House, as a committee to consider the possible retention of World War II Selective Service records, which have recently been ordered disposed of, or destroyed, by the Federal government, inasmuch as the Federal government says it no longer has sufficient funds to maintain these records after 1 July 1955.

Be it resolved that this committee shall visit the State Selective Service Records Depository, Montgomery, Alabama, to survey these files which include the World War II records of 325,000 Alabama veterans, and the draft records of some 800,000 Alabamians.

Whereas, included in the records scheduled for destruction is information of vital importance to veterans and their families, covering the period 16 September 1940 to 1 April 1947, and whereas the State Department of Veterans Affairs, the Office of The Adjutant General, and the Department of Archives and History, have expressed the emphatic opinion that these valuable records should not be destroyed, therefore be it resolved that this committee make a careful study prior to the 1 July 1955 deadline for destruction, to develop the means of removing and preserving the records of military service in a permanent form.

Resolved further that the members of the committee shall be entitled to receive their regular per diem and expenses during any interim the Legislature is not in session, to be paid from funds appropriated for the use of the Legislature, on requisition signed by the chairman, who shall be selected by the committee from among their number.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Metcalf, Lamberth and Coleman.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 9 set out in the above and foregoing message from the Senate.

And the Speaker named as a committee on the part of the House: Messrs. Ferrell, Johnson (Tallapoosa), Stokes and Solomon.

**REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 71. Relating to Mobile County: Fixing the salary of the judge of probate.

Also:

H. 72. To fix the salary of the tax assessor of Mobile County and to regulate the payment thereof.

Also:

H. 73. To apply in all counties having a population of not less than 230,000 nor more than 500,000 inhabitants, according to the last or any subsequent federal decennial census; to fix the compensation of the commissioner of licenses in all such counties.

Also:

H. 74. To provide further for the compensation of circuit judges in circuits composed of one county and having not less than four nor more than nine circuit judges.

Also:

H. 93. To apply in Elmore and Tallapoosa counties; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Also:

H. 131. Relating to Perry County, Alabama, prohibiting the installation or operation of coin operated parking meter devices in any city, town or other incorporated municipality located therein; unless the installation or operation thereof is first authorized by a majority vote of the qualified electors of such municipal corporation or town affected.

Also:

H. 105. To alter or rearrange the boundary lines of the city of Andalusia, Covington County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory in Covington County, Alabama.

Also:

H. 114. To regulate further the compensation of county superintendents of education in all counties having a population of not less than 19,200 nor more than 20,000 inhabitants, according to the last or any subsequent federal decennial census.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journals of the House for the fifth and sixth legislative days and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Oden, the reading at length of the Journals of the House for the fifth and sixth legislative days was dispensed with and

the report of the Standing Committee on Rules was concurred in and adopted, and the Journals of the fifth and sixth legislative days were
passed.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,
O. H. FINNEY, JR.,
Executive Secretary.

May 24, 1955

To the Legislature of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Under Title 29, Section 259, the Governor is the executive head of law enforcement in the State.

The subject of this message to the Legislature concerns itself with the enforcement of the alcoholic beverage control laws, and the suggestion of a new law regarding same.

I call to your attention the steady decline in ABC profits during the past eight years.

During the past four years there was a drop of \$4,563,000 in ABC profits over the previous four years. And further, there was, in 1954, a drop of \$1,445,000 in these same profits over the previous year of 1953. While on the other hand there was an increase of \$1,217,000 in the State Income Tax in 1954 over 1953 — thus indicating that there was more money available for luxury purchases such as whiskey.

I am sending you members of the Legislature this information on this drop in profits because I think you should know that this decline is far out of line.

I and members of my staff who have been doing research and making investigations in this matter, believe that there is a relationship between the abnormal disappearance or losses of ABC stamps and the decline in these profits.

Evidence found along these lines reveals that there is a wholesale bootleg racketeering in ABC stamps. These stamps can be purchased through these racketeers for 10¢ each this very day.

These stamps are being put on bonded red whiskey that is being bootlegged into Alabama. This illegal practice is costing Alabama millions of dollars annually.

Law enforcement officers are digging into this matter, and they will continue digging into it, and I shall report to you their findings.

I would like to say that every effort is being made on the law enforcement side to correct the disappearance and misuse of these stamps.

On the administrative side, we are now completing plans for the use of an entirely new system of stamps — one which we believe will

make it possible to account for every single stamp — where it comes from and where it goes. We expect to have this system in operation in a matter of days

I am hereby recommending to you the passage of the following two laws:

1. To make illegal the bartering, selling, or possession of ABC stamps, except by legally authorized agents or agencies.

2. To make illegal the transportation into this State, or through this State, any whiskey unless same is transported under seal and by common carrier or by person or persons so qualified by the Alabama Public Service Commission.

The passage of these laws will greatly aid the effort to eliminate the illegal use of the ABC stamps, as well as to bring to task those who are illegally transporting unstamped and unsealed bonded whiskey into or through Alabama.

It will crop in the bud the dastardly racketeering that has been flourishing around these illegal practices.

And when these situations are corrected, there will be more revenue flowing into the General Fund, as the ABC profits are the major source of revenue going into the General Fund.

And in turn it will mean that there will be more money available for paying the old folks, because the General Fund is their main source of revenue.

In closing, I am glad to report to you that efforts to clear up these illegal practices are already bearing fruit. The month of April showed a 11% increase in ABC profits in the amount of \$177,000 over April of a year ago. This was the first time that there was such an increase, one month over another, in the past three years. I expect to report even greater increases in these profits as a result of the two laws which I am hereby requesting you to enact.

I earnestly solicit the aid and advice of you members of the Legislature in coping with this situation.

Respectfully,
JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

Received, read and ordered filed.

POINT OF PERSONAL PRIVILEGE

On the request of Mr. Wood the following was ordered inserted in the Journal:

Mr. Speaker:

I rise to a point of personal privilege, and for the specific purpose of offering to the House my sincere apologies for the rash, inappropriate, and unseemly statements made by me on a former occasion, an occasion which most of you will recall with some embarrassment.

I deeply regret my attack upon the legal profession, members of the press and others in the time allowed me to speak here in the House. I have nothing but the greatest respect for lawyers and the legal profession in general. The laws we pass would be chaotic, discordant, inconsistent, and unsound unless we had the counsel of the fine lawyers among our number.

It is of special concern to me that some of my remarks were indelicate and particularly unsuitable for the ears of women and children. I humbly apologize to those who heard these remarks, and ask their forgiveness for such gross conduct on my part.

Mr. Speaker, I ask unanimous consent that these remarks of mine be recorded in the journal of the House.

BILLS ON SECOND READING

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 230. To provide further for the development of harbors and seaports; abolishing the Alabama State Docks Board created by an Act which became effective August 1, 1951 (Acts of the Legislature of Alabama, 1950-51, Vol. 1, page 450), and establishing the Alabama State Docks Department in lieu thereof; providing for the selection of the Department's officers, and prescribing the Department's functions, jurisdiction, powers, and duties; repealing conflicting laws.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 4 (with amendment). To provide for a jury trial in any proceeding at law or in equity for the purpose of establishing disputed land lines or boundaries between coterminous owners of land.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 11. To make it unlawful for any person to withdraw or cause to be withdrawn from any state or national bank funds credited to a depositor's account through error or mistake, or to induce any such bank to pay any such funds to any persons by making, drawing, uttering or delivering a check, draft or order for the payment of money, with the intent to so induce such bank; and to provide the penalties for violation of this act.

H. 16. To amend an Act of the Legislature of Alabama approved September 11, 1953; (Acts of Alabama regular session, 1953, Vol. 2, Page 832). To re-divide the State into judicial circuits to create the thirty-second Judicial Circuit and to provide for a Circuit Judge and Circuit Solicitor of the newly created circuit.

H. 36. To amend Section 230 of Title 12 of the Code of Alabama of 1940, so as to prohibit the removal of the county seat or site of a county in any instance where a public corporation organized in such county under the provisions of Act No. 682 adopted at the 1951 Regular Session of the Legislature of Alabama then has outstanding any securities, including refunding securities, secured by a pledge of the rentals from a building leased by such corporation to such county and located in the city, town or village where the county seat of such county is then located.

H. 37. To make it a misdemeanor for any person to drive a motor vehicle upon a school ground or school yard at a place other than that

which is customarily used as a driveway or a parking place for motor vehicles without the consent or acquiescence of the board of education or other governing body having control of the use of the school property, and to provide a penalty therefor.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 95 (with amendment). To prohibit any bank, or any officer, agent or director thereof, from establishing a branch or office for the transaction of the banking business other than at the principal place of business of such bank, in any county, notwithstanding the provisions of any general laws of local application, and providing that this action shall not apply in counties where the same is now authorized by law.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 121. Relating to civil remedies and procedure: To abrogate the common law rule that contributory negligence is a complete defense for the negligent act or omission of the defendant, and substitute therefor the comparative negligence rule.

H. 151. To amend further Section 184, Title 39, Code 1940, which relates to Sundays and legal holidays.

H. 159. To amend Section 9 of Title 30, Code of Alabama (1940), which relates to the membership of jury commissions.

H. 184. To amend further Section 99 of Title 21, Code of Alabama (1940), as amended, which relates to the discharge of debt owed to certain minors or persons of unsound mind by payment into the probate court.

H. 195. To make it unlawful to throw lighted matches, cigarettes, cigars, or other burning material from vehicles on the highways, roads, and railroad rights of ways of this State; to make it unlawful to discard or throw lighted matches, cigarettes, cigars, or other burning material on forest lands, grass lands or farm lands on which crops are growing, of this State; and, to provide a penalty therefor.

H. 185. To amend Section 799 of Title 7, Code of Alabama (1940), which exempts certain women from the requirements to give security for the cost of appeal in certain cases.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 234 (with substitute). To amend Sections 94 to 101, inclusive, of Title 10 of the Code of Alabama of 1940, as heretofore amended, so as to make more specific provision for the consolidation or merger of two or more domestic corporations and of two or more domestic and foreign corporations and to provide for the transfer of the rights and properties of consolidating and merging foreign corporations to the resultant corporation.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 118. To repeal Act No. 430, H. 222, approved August 28, 1953 (Acts of Alabama, 1953, p. 535), entitled "An Act To provide that the right of a person to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization, and to prohibit agreements or combinations requiring membership in a labor union or labor organization as a condition of employment or continuation of employment, and to provide for rights and remedies with reference thereto."

MOTION IN WRITING

Mr. Summerlin offered the following Motion in Writing:

I move that H.B. 118 be recommitted for further study.

And the motion was adopted.

And the Speaker referred the bill, H. 118, to the Standing Committee on Business and Labor.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 160. To amend Section 566, Title 51, Code of Alabama 1940.

H. 176. To provide for civil defense upon the occurrence of disasters or emergencies: Creating and establishing within the executive branch of the State Government a department of Civil Defense and authorizing the creation of local organizations for civil defense in the political subdivisions of the State; conferring upon the Governor and upon governing bodies of political subdivisions emergency powers with respect to civil defense; providing for the rendering of mutual aid among political subdivisions, and with other States, and with the Federal Government; ratifying and confirming all mutual interstate aid agreements and pacts heretofore entered into between the State of Alabama and other States of the United States; authorizing the establishment of such organizations and the taking of such steps as are necessary and appropriate to carry out the provisions of this Act; imposing penalties for violations of the Act or any rule, order or regulation made pursuant to the Act; and making an appropriation.

H. 223. To authorize the Governor to enter into a contract with the Michie Publishing Company to replace any volume or volumes of the Code of Alabama 1940.

H. 232. To facilitate vehicular traffic in the State by providing for the construction, operation and maintenance of turnpike projects; authorizing the incorporation of Alabama Turnpike Authority and defining its powers and duties, including the power of condemnation; authorizing the Authority to finance turnpike projects by the sale and issuance of its revenue bonds payable solely from its tolls and other revenues and the proceeds of its bonds; providing that no debt of the State shall be incurred in the exercise of any of the powers granted by this act; authorizing the Authority to make rules and regulations for the use of each turnpike project and to collect tolls and other revenues for such use; authorizing the Authority to refund any of its bonds by the issuance

of its refunding bonds; authorizing the Authority to issue its notes in anticipation of the issuance of any of its bonds; exempting from taxation all bonds and notes issued by the Authority, the income therefrom, and all properties of the Authority; providing that all such bonds and notes shall constitute negotiable instruments and shall be eligible for the investment of trust funds; prescribing conditions upon which such projects shall become free of tolls; authorizing the State Highway Department, with the Governor's approval, to make a preliminary study of any turnpike project; authorizing counties, municipalities and other political subdivision to transfer property to the Authority; conferring on the Authority certain powers with respect to public highways other than turnpike projects of the Authority and certain powers of entry upon real property for the purpose of making surveys; and prescribing certain penalties.

S. 48. To amend Title 51, Section 632, Code of Alabama 1940, as amended, which relates to distribution of tax on lubricating oil.

S. 49. To amend Title 36, Section 61, 69, and 71, Code of Alabama 1940, as amended, which relate to funds of the Department of Public Safety.

S. 50. To amend Sections 6, 8 and 10 and to repeal Sections 11, 12, 13, 14, and 16 of Act No. 585 entitled "An Act To create a Department of Public Safety; to provide for the appointment by the Governor of the Director thereof; to provide for the salary of said Director, and that said salary may be fixed by the Governor; to authorize the creation of divisions within said department and the appointment under the provisions of the Merit System of the chiefs of said divisions and other employees; to prescribe the duties and powers of the Director of the Department of Public Safety, and to enumerate the laws which said Director shall administer and enforce; to provide for the disposition of costs, fees and mileage of Highway Patrol officers when attending courts; to provide for the police powers possessed by members of the State Highway Patrol; to provide for the payment of the compensation of officers, agents and employees of the Department of Public Safety, and to provide for the payment of expenses for necessary equipment; to create a fund in the State Treasury to be known as the State Public Highway and Traffic Control Fund, and to prescribe the monies which shall be paid into said fund; to require that expenditures of the Department of Public Safety shall be limited to amounts appropriated by the Legislature out of the State Public Highway and Traffic Control Fund; to provide for the liability of members of the State Highway Patrol on their official bonds; to prescribe an arrest fee for Highway Patrol officers, and the payment of said fees into the State Public Highway and Traffic Control Fund; to provide that any unencumbered balance in the State Public Highway and Traffic Control Fund at the end of any two year drivers' licensing period shall be paid into the Public Road and Bridge Fund of the Highway Department; to require the State Comptroller to record the source of funds paid into the State Public Highway and Traffic Control Fund; to authorize the Department of Public Safety to promulgate rules and regulations having the force and effect of law and to provide for a penalty for the violation thereof; to transfer all monies or funds in the Highway Patrol Fund to the State Public Highway and Traffic Control Fund, and to authorize any appropriation heretofore made from said Highway Patrol Fund to be paid out of the said State Public Highway and Traffic Control Fund; and to provide for the effective date of this Act." approved September 11, 1953.

H. 120. To authorize and provide for the payment of the sum of \$613.80, out of any funds in the State Treasury to the credit of the State Forestry Fund, for the relief of Colbert R. Wright, to reimburse him for hospital, doctor and medical bills by reason of an accident occurring on

August 30, 1949, while the said Colbert R. Wright was employed by the State of Alabama, Department of Conservation, and while he was acting in the line and scope of his employment.

H. 177. To make an additional appropriation to the Agricultural Center Board for the fiscal year ending September 30, 1955, from funds in the State Treasury not otherwise appropriated.

Mr. Oden Chairman of the Standing Committee on Business and Labor reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 63. Relating to banks; amending further Section 82 of Title 5, Code of Alabama (1940).

Mr. Adams Chairman of the Standing Committee on Local Government reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 238. To authorize any city in the State to provide a site on which the United States Government may establish an air-craft control and warning station, prescribing the procedure for acquiring and conveying such land; and authorizing the city to cooperate in other ways with the United States in the establishment and operation of such station.

Mr. Murphy Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 204. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Elmore County.

The above bill was read a second time at length as required by the Constitution.

H. 205. To define, regulate and license barbers and barber colleges, and other like businesses in Escambia County, Alabama, State of Alabama; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission.

H. 224. Relating to Limestone County: To amend Act No. 355, H. 757, approved August 17, 1953 (Acts of Alabama, 1953, p. 423) entitled "An Act To fix the compensation of the Sheriff of Limestone County and to provide for deputy sheriffs and the compensation thereof, to provide for the feeding of prisoners in Limestone County and regulating the operation of the office of the Sheriff of Limestone County, Alabama, and to repeal all laws in conflict herewith and to provide for the effective date of this act."

H. 225. Relating to Limestone County: To amend further Act No. 95, H. 395, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 67), entitled "An Act To change the method of compensating the Tax Assessor of Limestone County, placing such officer on a salary, and providing for the administration of his office on a salary basis."

H. 226. Relating to Limestone County: To amend Act No. 201, H. 605, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 120), entitled "An Act To change the method of compensating the Judge of

Probate of Limestone County, placing such officer on a salary, and providing clerks for his office."

H. 227. Relating to Limestone County: To amend further Act No. 120, S. 210, approved July 17, 1947 (Local Acts of Alabama, 1947, p. 78), entitled "An Act To change the method of compensating the Tax Collector of Limestone County, placing such officer on a salary basis, and providing for the administration of his office on that basis."

H. 228. Relating to Limestone County: To amend further Act No. 200, H. 604, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 119), entitled "An Act To consolidate and combine the officers of Circuit Clerk, Register of the Circuit Court, Clerk of the Limestone County Court, and Register of the Limestone County Court of Limestone County; and to provide for the election, term of office and compensation of a Circuit Clerk of Limestone County, and for an assistant clerk and his compensation."

H. 229. To apply in all counties having a population of not less than 65,000 nor more than 75,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks.

H. 231. Relating to Mobile County: To create the Supervisory Committee of the Mobile County Personnel Board in lieu of the Citizens Supervisory Committee created by Act No. 470 of 1939, which is hereby abolished; prescribing the membership of the committee; requiring certain meetings thereof; and transferring to the Supervisory Committee of the Mobile County Personnel Board the powers, authority, duties and functions of the Citizens Supervisory Committee.

H. 233. Relating to Pickens County; to amend Act No. 141, S. 329, approved June 28, 1949 which relates to the division of the county for the purpose of selecting members of the County Board of Education; prescribes the duties, rights, qualification and compensation of such members; and provides for their election.

H. 237. Relating to Winston County; reorganizing the county government; abolishing the Highway Board of Winston County and the Court of County Commissioners of Winston County, and creating in lieu thereof the Board of Revenue of Winston County; prescribing the jurisdiction of the Board of Revenue and prescribing its powers and duties; providing for the selection of its members and employees; and prescribing their qualifications, terms, compensation, powers, and duties.

RECESS

On motion of Mr. Thomas the House recessed until 2:30 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:30 o'clock P.M. having arrived, the House reconvened.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Brannan:

H. 241. To create a Department of Roads and Highways and a supervisory Legislative Committee on Roads and Highways; abolishing the

Highway Department and transferring its functions, funds, books, records, furniture, fixtures, supplies, equipment and classified personnel to the Department of Roads and Highways established by this Act.

Rules.

By Mr. Gregory (with notice and proof):

H. 242. To alter or rearrange the boundary lines of the City of Oneonta, Alabama, so as to include therein and within the Corporate Limits of said City territory not already included therein.

Local Legislation No. 1.

Notice and Proof H. 242:

LEGAL NOTICE

State of Alabama
County of Blount

Notice is hereby given that at the regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

AN ACT

To alter or rearrange the boundary lines of the City of Oneonta, Alabama, so as to include therein and within the Corporate limits of said City territory not already included therein.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Oneonta, Alabama, in the County of Blount in said State, be and the same hereby are altered and rearranged so as to include within the Corporate Limits of said City all of that territory lying within the County of Blount and included within the following boundaries, to-wit: Beginning at the SE corner of the City of Oneonta, Alabama, as now established, which point is described as being the SE corner of Section 31, Township 12 South, Range 2 East; thence East 2,640 feet to the SE corner of the SE 1-4 of the SW 1-4 of Section 32, Township 12 South, Range 2 East and point of beginning of the lands herein described; thence North and along the East boundary line of said forty, and as extended, a distance of 10,560 feet, more or less, the NE corner of the NE 1-4 of the NW 1-4 of Section 29, Township 12 South, Range 2 East; thence West along the North boundary line of said forty, and as extended, a distance of 2,640 feet, more or less, to the SE corner of Section 19, Township 12 South, Range 2 East; thence North along the East boundary line of said Section 19, a distance of 2,640 feet to the NE corner of the NE 1-4 of the SE 1-4 of Section 19, Township 12 South, Range 2 East; thence West and along the North boundary line of said forty, and as extended, a distance of 5,280 feet, more or less, to the NW corner of the NW 1-4 of the SW 1-4 of Section 19, Township 12 South, Range 2 East; thence South along the West boundary line of said forty, and as extended, a distance of 2,640 feet, more or less, to the NE corner of Section 25, Township 12 South, Range 1 East; thence West along the North Section line of said Section 25, a distance of 5,280 feet, more or less, to the NW corner of said Section 25, Township 12 South, Range 1 East; thence South along the West boundary line of said Section 25, a distance of 5,280 feet, more or less, to the SW corner of said Section 25; thence East along the South boundary of said Section 25 a distance of 1,320 feet, more or less, to the NW corner of the NE 1-4 of the NW 1-4 of Section 36, Township 12 South, Range 1 East; thence South along the West boundary line of said forty, as extended, a distance of 7,920 feet, more or less, to the SW corner of the SE 1-4 of the NW 1-4 of Section 1, Township 13 South, Range 1 East; thence East and along the

South line of said forty, and as extended, a distance of 5,280 feet, more or less, to the NW corner of the NE 1-4 of the SW 1-4 of Section 6 Township 13 South, Range 2 East; thence South and along the West boundary line of said forty, and as extended, a distance of 2,640 feet, more or less, to the SW corner of the SE 1-4 of the SW 1-4 of Section 6, Township 13, Range 2 East; thence East and along the South boundary line of said forty, and as extended, a distance of 2,640 feet, more or less, to the SE corner of the SW 1-4 of the SE 1-4 of Section 6, Township 13 South, Range 2 East; thence North along the East boundary line of said forty, and as extended, a distance of 2,640 feet, more or less, to the SW corner of the SE 1-4 of the NE 1-4 of Section 6, Township 13 South, Range 2 East; thence East along the South boundary of said forty, and as extended, a distance of 3,960 feet, more or less, to the SE corner of the SE 1-4 of the NW 1-4 of Section 5, Township 13, Range 2 East; thence North and along the East line of said forty, and as extended, a distance of 2,640 feet to the SE corner of the SE 1-4 of the SW 1-4 of Section 32, Township 12, Range 2 East and point of beginning, situated in Blount County, Alabama.

Section 2. That all laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This Act shall take effect upon its passage and approval.

LOWELL GREGORY,
Member of the House of Representatives, Blount County.

21A4t

THE STATE OF ALABAMA, BLOUNT COUNTY.

Personally appeared before the undersigned authority, Rice M. Howard, who, being duly sworn, deposes and says that he is the publisher of the Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of bill to be introduced was published for 4 consecutive weeks in said newspaper, commencing on the 21 day of April, 1955, and ending on the 12 day of May, 1955.

S/RICE M. HOWARD,
Publisher.

Sworn to and subscribed before me this 16 day of May, 1955.

S/NELLE JOHNSON,
Notary Public.

By Messrs. Albea, Thomas, Lee (Barbour), Hain, Hardy, Molette, Grouby, Perry, Stokes, Hunt, Ashworth, Pirkle, Ramey, McKay and Franklin:

H. 243. Proposing an amendment to the Constitution relative to the abridgement of the terms of office of state, county or municipal officers, by the abolition of the office or otherwise.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Davis, Windle, Nettles, Kirkham, Pirkle and Branyon:

H. 244. To amend further Section 752 of Title 51, Code of Alabama (1940), and to define further the term "wholesale sale" or "sale at wholesale" within the meaning of the sales tax act.

Ways and Means.

By Messrs. Steagall, Hain, Brooks, Dickson, Kendall, Cornett, Brassell, McLendon, Haltom, Nice, Fite, Murphy, Tyson, Perry, Hare, Stembridge, Mathews, Lee (Barbour), and Thomas:

H. 245. To establish and provide for the maintenance and administration of an Unsatisfied Judgment Fund; providing for payments to certain persons out of the funds for damages resulting from bodily injury or death arising out of the ownership, maintenance or use of motor vehicles in this state; imposing certain duties relative to the administration of this Act on the probate judges, the State Treasurer, the Director of Public Safety and the Attorney General; and prescribing certain conditions which must be fulfilled before any driving privilege or any vehicle license, revoked under the Alabama Motor Vehicle Safety-Responsibility Act, may be restored to a driver or owner of a motor vehicle when a judgment against him has been paid from this fund.

By Mr. Steagall:

Judiciary.

H. 246. To amend Sections 2 and 11 of an Act entitled "An Act to eliminate the reckless and irresponsible driver of motor vehicles from the highways of the State of Alabama; to provide for the giving of security and proof of financial responsibility by owners and operators of motor vehicles; to define words and phrases in said Act; to provide for the administration and enforcement of said Act by the Director of Public Safety of the State of Alabama and to prescribe his powers and duties; to provide for an operating record; to provide for appeals from his orders and decisions; to provide for the making of reports following a motor vehicle accident, and giving of security in case of a motor vehicle accident and giving of security in case of a motor vehicle accident involving property damage in excess of \$50.00 or personal injuries to, or death of any person; to provide for certain exceptions where evidence of existing insurance is furnished; to provide certain further exceptions to requirements of the Act; to provide for the suspension of licenses and registration of motor vehicles, and duration thereof; to provide that the Act shall apply to non-residents, unlicensed drivers and unregistered motor vehicles and shall apply in certain instances to accidents in other states; to provide the form and amount of security; to provide for the custody, disposition and return of security; to provide matters not to be evidence in civil suits; to provide for reports on the non-payment of judgments; to provide for the suspension of licenses and registration for non-payment of judgments; to provide for the suspension until judgment paid or until proof given; to provide for the payment of judgment by installments; to provide for the proof required to be furnished upon certain convictions; to provide alternative methods of giving proof of financial responsibility, including a certificate of any insurance carrier that has in effect a motor vehicle liability policy; to provide certificates furnished by non-residents, owners of motor vehicles in the state; to define a motor vehicle liability policy; to provide for cancellation or termination of policies, and that this act shall not affect other policies; to provide for bond for proof of financial responsibility, amount of security, where deposited and type of security; to provide for money or securities as proof of financial responsibility; to prohibit a transfer of registration to defeat purposes of Act; to provide penalties for the violation of the provisions of this Act; to provide for surrender of licenses and registration; to provide for self-insurers; to provide Act not to apply to any motor vehicle owned by the United States, State of Alabama, or any political subdivision of this State, or any municipality; to provide that certain provisions of Act not to apply to certain motor vehicles subject to supervision and regulation of the Alabama Public Service Commission; to provide certain powers and duties of the Superintendent of Insurance with respect to approval of plans for equit-

able apportionment among insurance companies of applicants for insurance who cannot obtain insurance by ordinary methods, and provide for appeals to the courts from decisions of said Superintendent of Insurance respecting such plans; to provide that this Act shall not prevent use of other process; to provide for uniformity of interpretation; to provide that if part of Act be held unconstitutional it shall not affect remaining parts of Act; to provide that this Act may be cited as the Motor Vehicle Safety-Responsibility Act; to authorize the Director of Public Safety, subject to provision of the Merit System, to appoint employees necessary to discharge the duties imposed by this Act; to declare that this Act is supplemental of the State Motor Vehicle Laws; to repeal Act No. 276, approved August 6, 1947, Acts 1947, page 121, known as the Alabama Motor Vehicle Responsibility Act; to appropriate the sum of \$100,000.00 or so much thereof as may be necessary for the purposes set forth in this Act; to provide the effective date of this Act and a repeal of all acts and parts of acts in conflict herewith," approved September 5, 1951.

Judiciary.

By Messrs. Steagall, Murphy, Hare and Hain:

H. 247. To amend Section 211 of Title 61 of the Alabama Code of 1940.

Judiciary.

By Messrs. Steagall, Murphy, Hare and Hain:

H. 248. To amend Section 119 of Title 61 of the Alabama Code of 1940.

Judiciary.

By Messrs. Steagall, Murphy, Hare and Hain:

H. 249. To amend Section 419 of Title 61 of the Alabama Code of 1940.

Judiciary.

By Mr. Ferrell (with notice and proof):

H. 250. To alter or re-arrange the boundary lines of the Town of Collinsville, DeKalb County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory in DeKalb County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 250:

NOTICE OF LOCAL LEGISLATION

Notice is hereby given that a local bill will be presented to the Legislature of Alabama at its next regular session relating to the changing and extending of the corporate limits of the Town of Collinsville, DeKalb County, Alabama, and in words and figures substantially as follows:

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the town of Collinsville, DeKalb County, Alabama, be, and the same are altered or re-arranged so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory in DeKalb County, Alabama; all of which territory is more particularly described as being all of the territory lying within the County of DeKalb, State of Alabama, included and embraced within the boundaries herein set out, to-wit:

Begin at the Southwest corner of the NE 1-4 of Section 14, Township 9, South of Range 7 East, and from thence run easterly and along

the Southerly line of said NE 1-4, and along the Southerly line of the SW 1-4 of the NW 1-4 of Section 13, Township 9, South of Range 7 East, to the Southeast corner of the said SW 1-4 of the NW 1-4 of said Section 13; thence northerly and along the easterly line of the SW 1-4 of the NW 1-4 of said Section 13 to the Northeast corner thereof; thence easterly and along the southerly line of the NE 1-4 of the NW 1-4 of said Section 13 and along the southerly line of the NW 1-4 of the NE 1-4 of said Section 13 to the Southeast corner of the West 1-2 of the NW 1-4 of the NE 1-4 of said Section 13; thence northerly and along the easterly line of the West 1-2 of the NW 1-4 of the NE 1-4 of said Section 13 and along the easterly line of the West 1-2 of the SW 1-4 of SE 1-4 of Section 12 of said Township and Range, and along the easterly line of the West 1-2 of the NW 1-4 of the SE 1-4 of said Section 12, and along the easterly line of the West 1-2 of the SW 1-4 of NE 1-4 of said Section 12, and along the easterly line of the West 1-2 of the NW 1-4 of NE 1-4 of said Section 12, to the Northeast corner of the West 1-2 of the NW 1-4 of NE 1-4 of said Section 12; thence westerly and along the northerly line of Section 12; also being the Southerly line of Section 1, of said Township and Range, to the Southeast corner of the SE 1-4 of SW 1-4 of said Section 1; thence northerly and along the easterly line of SE 1-4 of SW 1-4 of Section 1 to the Northeast corner thereof; thence westerly and along the northerly line of the SE 1-4 of SW 1-4, the northerly line of the SW 1-4 of the SW 1-4 of said Section 1, and the northerly line of the SE 1-4 of SE 1-4 of Section 2 of said Township and Range, to the northwest corner of the SE 1-4 of SE 1-4 of said Section 2; thence southerly and along the westerly line of the SE 1-4 of SE 1-4 of said section 2 to the southwest corner thereof; thence westerly and along the northerly line of the NE 1-4 of Section 11 of said Township and Range to the Northwest corner of said NE 1-4 of Section 11; thence southerly and along the westerly line of the NE 1-4 of said Section 11, and along the westerly line of the SE 1-4 of said Section 11, and along the westerly line of the NE 1-4 of Section 14 of said Township and Range to the point of beginning.

Section 2. That the boundaries set out in Section One of this act be, and the same are hereby established as the corporate limits of said Town of Collinsville, DeKalb County, Alabama, and all of the territory included and embraced within said boundaries shall hereafter be and constitute a part of the Town of Collinsville, DeKalb County, Alabama.

Section 3. That all laws and parts of laws, both general, special and local, in conflict with this act be, and the same are hereby repealed.

Section 4. That this act shall go into effect immediately upon its passage and approval by the governor. (4-20-4t)

PUBLISHER'S CERTIFICATE

STATE OF ALABAMA
COUNTY OF DEKALB, ss:

Personally appeared before the undersigned, a Notary Public, within and for said County and State, E. O. Davidson, publisher of The Fort Payne Journal, a newspaper published at Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto annexed, was published in said newspaper in its issues of April 20, April 27, May 4, May 11, 1955.

E. O. DAVIDSON,
Publisher.

Sworn to and subscribed before me this 16th day of May, 1955.

BESSIE B. BRUCE,
Notary Public.

My commission expires Oct. 13, 1955.

By Mr. Hawkins:

H. 251. Providing for the regulation of the practice of ophthalmic dispensing; authorizing the issuance of certificates to registered qualified ophthalmic dispensers and ophthalmic technicians who are employed by Ophthalmic Dispensers creating an examining board to determine their respective qualifications and conferring powers and duties thereupon; and providing for penalties for violations of the provisions hereof.

Ways and Means.

By Mr. Hawkins:

H. 252. Proposing an amendment to the Constitution of Alabama relative to the abridgement of the terms of county and municipal officers holding office by election.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Hawkins:

H. 253. To amend Section 365 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the teachers' Retirement System.

Ways and Means.

By Messrs. Oden, Branyon, Davis, Hunt, Brown (Lamar), Gist, Money, Selman, Kelly:

H. 254. To provide for the creation of a public corporation for the development of agriculture in the State of Alabama; to prescribe the powers and duties of such corporation, including the power to construct, erect and maintain adequate facilities to market agricultural products as well as adequate facilities to house, display and exhibit agricultural products; to prescribe the procedure for the Governor, Commissioner of Agriculture and Industries and Director of Finance to incorporate such public corporation and to further prescribe its duties, functions, privileges, immunities, obligations and exemptions from taxation as well as the method and manner for the exercise of its powers, duties and functions; to provide that such corporation shall not pledge the faith and credit of the State of Alabama and that such corporation shall be a non-profit corporation precluded from engaging in competitive business; to provide for the dissolution of the corporation.

Business and Labor.

By Messrs. Money, Cox, Burkhalter, and Lee (Lawrence):

H. 255. To provide further for acquiring rights of way for state roads.

Transportation.

By Messrs. Nice, Burkhalter, Lee (Lawrence), and Haltom:

H. 256. Relating to qualifications of electors; amending further Section 12, Title 17, Code of Alabama (1940), as amended.

Constitutions and Elections.

By Messrs. Nice, Meeks and Vacca:

H. 257. To amend Act No. 57, H. 59, approved April 8, 1955, entitled, "An Act relating to judicial procedure, and to provide for and regulate the selecting and impaneling of juries and alternate jurors in all crimi-

nal and quasi-criminal cases in the circuit courts in counties having a population of 400,000 or more according to the last or any future federal census; and to provide for the repeal of sections 221 to 227, both inclusive, of Title 62, Code of 1940, and of all Acts amendatory of said sections."

Local Legislation No. 2.

By Messrs. Nice, Roberts, Meeks, Steagall, Vacca, Lackey, Edwards (Jefferson), Hare, Kaul, Adams, Hain, Stembridge, Brassell, Hanby, Selman, Goodwyn, Dement, Perry, Gilchrist, Simon, Tyson, Edwards (Escambia), Huddleston, Murphy, and Hall:

H. 258. Relating to judicial procedure: To provide for and regulate the selection and impaneling of alternate jurors for the trial of any case triable by a jury.

Judiciary.

By Messrs. Vacca and Speaks:

H. 259. To authorize the execution of any bonds, notes, or other obligations for the payment of money by any city or town of this State, with an engraved, imprinted, stamped or otherwise reproduced facsimile of any signature, seal or other means of authentication, certification or endorsement required or permitted to be recorded thereon.

Judiciary.

By Messrs. Vacca, Ferrell and Speaks:

H. 260. To require the driver of any vehicle which strikes any domesticated animal to stop and render aid to such animal, to notify the owner thereof and to provide penalties for the violation of this act.

Judiciary.

By Messrs. Meeks, Nice, Perry, Dickson, Vacca, Edwards (Jefferson), Lackey, Brewer, and Haltom:

H. 261. To require the Attorney General to compile and have printed all constitutional and statutory provisions of this State relating to the registration and qualifications of electors and to provide a copy of such compilation for each member of the various boards of registrars.

Ways and Means.

By Mr. Lee (Lawrence) (with notice and proof):

H. 262. Relating to the government of Lawrence County; abolishing the Board of Revenue of Lawrence County created by Act No. 18, S. 2, approved May 18, 1951, and establishing in lieu thereof the Court of County Commissioners; providing for the organization, powers, jurisdiction, and duties of the Court of County Commissioners, and for the qualifications, manner of election, and compensation of its members; and regulating the county purchasing procedures.

Local Legislation No. 1.

Notice and Proof H. 262:

**STATE OF ALABAMA
COUNTY OF LAWRENCE**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to the government of Lawrence County; abolishing the Board of Revenue of Lawrence County created by Act No. 18, S. 2, approved May 18, 1951, and establishing in lieu thereof the Court of County Commissioners; providing for the organization, powers, jurisdiction, and duties of the Court of County Commissioners, and for the qualifications, manner of election, and compensation of its members; and regulating the county purchasing procedures.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Board of Revenue of Lawrence County created by Act No. 18, S. 2, approved May 18, 1951, is abolished, and there is established in lieu thereof a court of record, styled the Court of County Commissioners of Lawrence County, which shall be composed of the judge of probate, as principal judge, and four commissioners, who shall be elected as hereinafter provided.

Section 2. Lawrence County is hereby divided into four commissioners' districts for the purpose of electing members of the Court of County Commissioners, as follows: The northeast district of the county shall be that portion of Lawrence County lying east of the line between Ranges 7 and 8 and north of the section lines which are parallel to and, approximately, one (1) mile south of the line between Townships 5 and 6; the northwest district of the county shall be that portion of Lawrence County lying west of the line between Ranges 7 and 8 and north of the section lines which are parallel to and, approximately, one (1) mile south of the line between Townships 5 and 6; the southeast district of the county shall be that portion of Lawrence County lying east of the line between Ranges 7 and 8 and south of the section lines which are parallel to and, approximately, one (1) mile south of the line between Townships 5 and 6; the southwest district of the county shall be that portion of Lawrence County lying west of the line between Ranges 7 and 8 and south of the section lines which are parallel to and, approximately, one (1) mile south of the line between Townships 5 and 6. A county commissioner shall be nominated and elected by the qualified electors of the entire county for each of the districts herein created. Commissioners for the northeast and the northwest districts shall be elected at the general election to be held in November 1956, and every four years thereafter; commissioners for the southeast and the southwest districts shall be elected at the general election to be held in November, 1958, and every four years thereafter. Each commissioner shall be a resident and qualified elector of the district for which he is elected, and shall continue to reside herein during his continuance in office.

Section 3. The members of the Board of Revenue of Lawrence County elected from the four districts shall serve as county commissioners until their successors are elected and qualified as herein provided. The commissioners elected under the provisions of this Act shall hold office for terms of four years from the first Monday after the second Tuesday in January next succeeding their election, and until their successors are elected and qualified.

Section 4. Except as otherwise provided herein, the Court of County Commissioners provided for in this Act shall have and exercise all the jurisdiction and powers which are, or hereafter may be, vested in courts of county commissioners by the general laws of the State, and the members of the Court shall perform all the duties and services and exercise all the powers which are, or hereafter may be, provided by law for members of courts of county commissioners.

Section 5. Each member of the Court of County Commissioners shall receive an annual salary of two thousand four hundred dollars (\$2,400), to be paid in monthly installments on the second Monday of each month, which salary shall be the only compensation or allowance of any kind to be received by the commissioners, except that each commissioner shall provide his own transportation in the performance of his official duties and shall be paid therefor a mileage allowance of fifty dollars (\$50.00) per month. The judge of probate of Lawrence County shall be entitled to the compensation provided for by law for judges of probate who serve as principal judge of the court of county commissioners.

Section 6. The Court of County Commissioners shall appoint a purchasing agent for the county, who shall receive such compensation for his services, as such, as may be allowed by the Court. Except as otherwise provided herein, the purchasing agent shall purchase for the county officials, the county offices, and every department of the county, all books, stationary, supplies, printing and printed matter, blanks, forms, machinery, equipment, tools, materials, and contractual services needed by such county officials, offices, and departments. Subject to the approval of the Court of County Commissioners, the purchasing agent may promulgate reasonable rules and regulations, not inconsistent with the provisions of this Act, to govern the acquisition of such supplies, materials, and equipment, or the disposal of surplus or obsolete personal property of the county.

Section 7. The purchasing agent shall obtain at least three written, sealed competitive bids for all purchases of or contracts for, supplies, equipment, materials, and contractual services when the amount involved is one hundred dollars (\$100.00) or more. If the purchases or contract involves an amount of less than one hundred dollars (\$100.00), the purchasing agent may make such purchases or contracts either upon the basis of sealed bids or in the open market, in his discretion; but, so far as practicable, such purchases or contracts shall be based upon at least three competitive bids. It shall be a violation of the section to divide or otherwise adjust the quantity of a purchase to an amount less than one hundred dollars (\$100.00) for the purpose of evading this section. Invitations for bids shall be posted on a bulletin board in the county court house and sent to prospective suppliers at least one week before the final date for submitting bids. Bids shall be opened publicly by the purchasing agent at a time and place stated in the invitations. The purchasing agent shall award the purchase to the lowest responsible bidder, or he may reject all bids and renegotiate the purchase when the public interest will be served thereby. The purchasing agent shall obtain information from the division of purchases and stores of the state department of finance concerning the price to the State of the items to be purchased, and if the state price is less than the lowest bid received, and if the delivery date is reasonable, all bids shall be rejected and the purchase shall be negotiated through the state purchasing agent. In an emergency, the purchasing agent may negotiate a purchase costing more than one hundred dollars (\$100.00) by soliciting three competitive bids informally, either verbally or by telephone, telegraph, or letter. The provisions of this Act regarding three competitive bids and obtaining information from the division of purchases and stores may be waived in cases of emergency involving actual danger to life or property, and for purchases of perishable commodities, items and services of a technical or specialized nature, utility services, and commodities or services for which there is no competitive situation. The provisions of this Act requiring purchases to be made through the county purchasing agent may be waived in the case of small purchases costing no more than ten dollars (\$10.00), provided that no such purchase is part of a larger purchase which has been divided for the purpose of

coming within this exception. All county officers, and all county offices and departments shall inspect, upon delivery, all materials, supplies, and equipment purchased by the purchasing agent, and no item shall be accepted and paid for without having been approved by the officer, office, or department requesting the purchase. Any official or person who purchases or procures any supplies, materials, equipment, or services contrary to the provisions of this section shall be personally liable for the amount of such purchase.

Section 8. Supplies, materials, equipment, and services shall be furnished to the officers, offices, and departments only upon written requisition setting forth the articles needed and signed by the officer for whose office the articles are requested. The requisitions shall state by items the articles that are desired and needed, that the articles are necessary, that the amount of the requisition is not excessive, and that no part of the articles will be used except in conducting the public business. The requisitions, with the purchase invoices attached, shall be kept on file in the office of the purchasing agent, in an orderly manner, as a permanent record subject to public inspection at all reasonable times.

Section 9. The provisions of this Act are severable. If any part of the Act is declared unconstitutional or invalid, such declaration shall not affect the part which remains.

Section 10. All laws or parts of laws in conflict with this Act are repealed. Act No. 18, S. 2, approved May 18, 1951, is expressly repealed.

Section 11. This Act shall become operative only if approved by a majority of the qualified electors of Lawrence County voting in a referendum to be held on the first Tuesday following the expiration of thirty days after the date of its enactment. The governing body of Lawrence County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election the question shall be stated substantially as follows: "Shall the provisions of Act No. _____, of the _____ Session of the Legislature, which establishes a Court of County Commissioners for Lawrence county, be adopted? Yes () No ()." If a majority of the votes are "yes," the provisions of this Act shall become effective immediately. If a majority are "No," this Act shall have no effect. The results of the election shall be certified by the judge of probate to the Secretary of State, who shall make a permanent record thereof. 16-4

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 21, April 28, May 5, and May 12, all in the year 1955.

JEANETTE LANG McKELVEY.

Sworn to and subscribed before me May 19th, 1955.

ARTHUR F. SLATON,
Owner.

By Messrs. Reynolds and Roberts:

H. 263. To amend further Section 788 of Title 51, Code of Alabama (1940), as amended, which relates to the rate of use tax.

Ways and Means.

By Messrs. Dement, Fite, Burkhalter, Oden, Kelly, Selman, Gregory, Lee (Lawrence), Hunt, Davis, Windle, Speaks, Edwards (Escambia), Stembridge, Pirkle, Richardson, Martin, and Ramey:

H. 264. Regulating further the testing, inspecting and grading of milk, cream and milk products with respect to the public health; prescribing the duties and authority of the Department of Agriculture and Industries, the Commissioner of Agriculture and Industries, and the State Board of Health; providing for the cooperation and exchange of information between the Department of Agriculture and Industries, the State Board of Health and the Milk Control Board in the making of any surveys, investigations and inquiries made for the purpose of determining whether or not, or in what manner, the production, processing and distributing of milk, cream and milk products may affect the public health; requiring the Department of Agriculture and Industries to inspect dairy farms, cooling stations, milk processing plants, creameries and other similar establishments where milk is produced and handled; prescribing conditions and requirements for milk transported into Alabama from other states; prescribing the powers, duties and authority of municipalities and counties with respect to the sale of milk and milk products; authorizing the adoption of rules and regulations; repealing all conflicting laws including Section 98 of Title 22, Code of Alabama, 1940 and Act No. 65, Legislature of 1955 (2nd Special Session); and prescribing a penalty for violations of this Act.

Agriculture.

By Mr. Fite:

H. 265. To amend Section 312 of Title 26 of the 1940 Code of Alabama, as amended.

Judiciary.

By Mr. Fite:

H. 266. To amend Section 138 (1) of Title 7 of the Code of Alabama of 1940, as amended.

Judiciary.

By Mr. Fite:

H. 267. To provide for the entering of additurs and remittiturs by the trial court; to provide for the filing of additurs and remittiturs under protest and to provide for appeals therefrom.

Judiciary.

By Mr. Fite:

H. 268. To amend Sub-Section (a) of Section 262 of Title 26 of the 1940 Code of Alabama, as heretofore amended.

Judiciary.

By Messrs. Murphy, Simon and Tyson (with notice and proof):

H. 269. To provide for the Chief Assistant to the Clerk of the Inferior Court: to prescribe the duties of the said Chief Assistant; to provide for the manner of the appointment and fix the compensation of said Chief Assistant to the Clerk of the Inferior Criminal Court.

Local Legislation No. 1.

Notice and Proof H. 269:

LEGAL NOTICE

Notice is hereby given that an Act in substance as follows will be introduced for passage and adoption at the Regular Session of the Legislature which convenes in May, 1955:

AN ACT

To provide for the Chief Assistant to the Clerk of the Inferior Court; to prescribe the duties of the said Chief Assistant; to provide for the manner of the appointment and fix the compensation of said Chief Assistant to the Clerk of the Inferior Criminal Court.

Section 1. That the Clerk of the Inferior Criminal Court, after the passage and approval of this Act, shall be and is hereby authorized and empowered, with the approval of the Judge of the Inferior Criminal Court to appoint a Clerk in said Court to be known as the Chief Assistant to the Clerk of the Inferior Criminal Court.

Section 2. That said Chief Assistant to the Clerk of the Inferior Criminal Court, shall perform such duties as may be assigned to him by the Clerk of the Inferior Criminal Court and such other duties as may be imposed by law, and is hereby authorized under the direction of the Clerk of the Inferior Criminal Court, to perform any or all of the official duties of the Clerk of the Inferior Criminal Court, for, and in the name of the Clerk of said court.

Section 3. The appointment of the Chief Assistant to the Clerk of the Inferior Criminal Court shall be made from the persons in the Classified Service of Mobile County who have qualified by examination and who are now or hereafter may be on the register of Chief Clerks of the Classified Service of Mobile County. The Director of Personnel of Civil Service of Mobile County is hereby directed on written demand from the Judge of said court, to certify and deliver to the clerk of the Inferior Criminal Court the register of Chief Clerks, setting forth the names of persons qualified and eligible for appointment under the provisions of this Act.

Section 4. That after the appointment of the Chief Assistant under the provisions of this Act the said Chief Assistant to the Clerk of the Inferior Criminal Court of Mobile County shall be and remain within the Classified Service of Mobile County in the Class of Chief Clerk as now provided for by the rules of the Civil Service of Mobile, and shall be subject to all of the pertinent rules and regulations of the Civil Service of Mobile County, so long as said Civil Service and its Board of Administration known as the Personnel Board shall continue to exist.

Section 5. The said Chief Assistant to the Clerk of the Inferior Criminal Court of Mobile shall receive as compensation for his services as such the sum of \$4272.00 per annum, payable in monthly installments out of the general funds of Mobile County and shall have and enjoy the benefits of increased compensation as may be determined from time to time by the Personnel Board of Mobile County in accordance with its plan and its rules and regulations governing the same.

Section 6. That all laws and parts of laws in conflict with this Act are hereby expressly repealed.

Section 7. This Act shall go into effect upon its passage and approval by the Governor or otherwise becoming a law.

Approved:

M. THOMAS MURPHY
OTTO E. SIMON
JOHN M. TYSON
GARRETT VAN ANTWERP, III
Reg. April 27, May 4, 11, 18

W. M. Curran being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issue of The Mobile Register Apr. 27, May 4, 11, 18 1955.

W. M. CURRAN.

Sworn to and subscribed before me This 18th day of May 1955.

ALVIN A. JOHNSON,
Notary Public.

By Messrs. Simon, Murphy and Tyson (with notice and proof):

H. 270. Relating to Mobile County: To regulate further the office of the judge of probate of said county; authorizing and empowering the judge of probate to create and establish divisions for the performance of the functions and duties of his office, to assign function and duties to such divisions, and to delegate certain powers to the chiefs of such divisions.

Local Legislation No. 1.

Notice and Proof H. 270:

A BILL
TO BE ENTITLED
AN ACT

Relating to Mobile County: To regulate further the office of the judge of probate of said county; authorizing and empowering the judge of probate to create and establish divisions for the performance of the functions and duties of his office, to assign function and duties to such divisions, and to delegate certain powers to the chiefs of such divisions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The judge of probate of Mobile County may, in his discretion, create and establish such administrative divisions in his office as he may determine necessary or convenient in the efficient and expeditious performance of the functions and duties of his office. He may assign functions and duties to such divisions, and may delegate to the chiefs thereof such powers as he may deem proper. The judge may reassign functions and duties as between existing divisions. The chiefs of such divisions shall be appointed by the judge of probate, and shall serve at his pleasure, but shall not be related to him by blood or by marriage. The salary of the chief of any such division shall be not more than \$5400 per annum, to be paid in equal installments, as the salaries of other county employees are paid. The chiefs of divisions provided for in this Act shall be in addition to any other clerks or assistants heretofore provided by law or approved and designated as such by the Mobile County Personnel Board. The probate judge may, in his discretion, abolish or discontinue any position existing in his office, including the office of chief clerk of the probate court of Mobile County presently provided for by statute, upon the establishment of divisions as provided in this Act, but no such position shall be abolished without his approval.

Section 2. The chief of any such division before he enters upon his duties, must take the oath directed to be taken by the officers of this state and give bond with surety, payable to the judge of probate, in such sum as he may prescribe. Upon this bond, the chief of any such division

shall be liable to the judge in consequence of any act of misfeasance or malfeasance of such chief in the duties of his office. The bond must be approved by the judge of probate and be filed and recorded in the office of the clerk of the circuit court and paid for out of the county funds.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

GARET VAN ANTWERP, III
M. THOMAS MURPHY
OTTO E. SIMON
JOHN M. TYSON

Reg. April 30, May 7, 14, 21

W. M. Curran being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and that the attached notice appeared in the issue of The Mobile Register Apr. 30, May 7, 14, 21, 1955.

W. M. CURRAN.

Sworn to and subscribed before me This 21st day of May 1955.

ALVIN A. JOHNSON,
Notary Public.

By Messrs. Murphy, Simon and Tyson (with notice and proof):

H. 271. To amend Section Three (3) of an Act entitled: "An Act to provide for the appointment of the Clerk of the Inferior Criminal Court of Mobile County; to fix the compensation and term of office of such Celrk and to provide that for such compensation such Clerk shall perform the Ex-Officio duties of the Clerk of the inferior Civil Court of Mobile County, as well as the duties of Clerk of the Civil Division of the Inferior Criminal Court of Mobile County; and to repeal all laws and parts of laws in conflict herewith," approved August 5, 1953 (Acts of the Legislature 1953, page 352).

Local Legislation No. 1.

Notice and Proof H. 271:

LEGAL NOTICE

Notice is hereby given that an Act in substance as follows will be introduced for passage and adoption at the Regular Session of the Legislature which convenes in May, 1955:

A BILL TO BE ENTITLED AN ACT

To amend Section Three (3) of an Act entitled: "An Act to provide for the appointment of the Clerk of the Inferior Criminal Court of Mobile County; to fix the compensation and term of office of such Clerk and to provide that for such compensation such Clerk shall perform the Ex-Officio duties of the Clerk of the Inferior Civil Court of Mobile County, as well as the duties of Clerk of the Civil Division of the Inferior Criminal Court of Mobile County; and to repeal all laws and parts of laws in conflict herewith," approved August 5, 1953 (Acts of the Legislature 1953, page 352).

Section 1. That Section 3 of an Act entitled "An Act to provide for the appointment of the Clerk of the Inferior Criminal Court of Mobile County; to fix the compensation and term of office of such Clerk and to provide that for such compensation such Clerk shall perform the Ex-Officio duties of the Clerk of the Inferior Civil Court of Mobile County, as well as the duties of Clerk of the Civil Division of the Inferior Criminal Court of Mobile County; and to repeal all laws and parts of laws in conflict wherewith," approved August 5, 1953 (Acts of the Legislature 1953, page 352), be and the same is hereby amended so as to read as follows:

Section 3. Said Clerk of the Inferior Criminal Court of Mobile County shall receive and be paid as compensation for such services the sum of \$5700.00 annually payable in equal monthly payments out of the general funds of Mobile County.

Section 2. All laws and parts of laws in conflict with this Act are hereby expressly repealed.

Section 3. The Clerk of the Inferior Criminal Court of Mobile not being appointed for a fixed term, this Act shall go into effect upon its passage and approval by the Governor.

Approved:

GARET VAN ANTWERP, III
M. THOMAS MURPHY
OTTO E. SIMON
JOHN M. TYSON

Reg. April 27, May 4, 11, 18

W. M. Curran being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and that the attached notice appeared in the issue of The Mobile Register April 27, May 4, 11, 18 1955

W. M. CURRAN.

Sworn to and subscribed before me This 18th day of May, 1955.

ALVIN A. JOHNSON,
Notary Public.

By Messrs. Dawkins, Hall, Goodwyn, Roberts, Boyd, Bassett and Harrison:

H. 272. To require employers making payment of wages, salaries, or other remuneration to deduct and withhold the income tax due by the employee upon such wages, salary, or other remuneration; to provide for the collection of income taxes upon wages, salaries, or other remuneration at the source of such wages, salaries, or other remuneration; providing further for the enforcement of such tax; prescribing the duties of the State Department of Revenue and the Commissioner of Revenue; and prescribing penalties for violations of this Act.

Ways and Means.

By Messrs. Dawkins, Hall, Goodwyn, Roberts, Boyd, Bassett and Harrison:

H. 273. To further provide for the general revenue of Alabama; to define certain terms; to provide for the withholding of certain taxes; to provide for the making of certain rules and regulations by the Commissioner of Revenue; to provide for including certain wages and excluding

certain wages for withholding tax purposes; to provide for withholding certificates; to provide for the payment of amounts withheld; to provide for the assessment of tax against employer under certain conditions; to provide for appeal by the employer; to provide for the issuance of execution by the department under certain conditions; to provide for the furnishing of a statement to the employee; to provide for the liability for the tax withheld; to provide for refunds to employers; to provide for the credit for the tax withheld; to provide for the refunding or crediting of amounts overpaid; to provide penalties for violations of this Act; to provide an optional short form for reporting the tax and to limit its application; to provide tables showing amount of income tax due under certain conditions; to provide for a declaration of estimated tax and the time for filing the declaration; to provide for the payment of the tax estimated in the declaration and when payment is due; to provide for certain deductions; to amend Section 409, Title 51, Code of Alabama 1940, as amended; to repeal conflicting laws; to provide for the severability of this Act; and to provide an effective date for this Act.

Ways and Means.

By Messrs. Fite, Goodwyn, Hare, McNider, Bradford, Hall, Edwards (Escambia), Martin, Cornett, Brassell, Hawkins, Dawkins, Solomon, Mathison and McKay:

H. 274. To make it a felony for any person other than a wholesaler, distributor, or dealer, or other person authorized by the Alcoholic Beverage Control Board, to have in his possession any unattached Alabama revenue stamps, crowns, or lids used for the purpose of identifying alcoholic beverages sold or distributed under the provisions of Title 29 of the Code of Alabama (1940).

Judiciary.

By Messrs. Fite, Goodwyn, Hare, McNider, Bradford, Hall, Edwards (Escambia), Martin, Cornett, Brassell, Hawkins, Dawkins, Solomon and Mathison:

H. 275. To make it a felony for any person other than a carrier operating under a permit issued by the Interstate Commerce Commission or the Alabama Public Service Commission, or persons, firms, corporations, or associations of persons designated by the Alabama Alcoholic Beverage Control Board, to transport certain alcoholic beverages which do not have affixed thereto stamps, crowns, or lids denoting the payment of Alabama taxes on such beverages.

Judiciary.

By Messrs. Hawkins, McKay and Dawkins:

H. 276. To make it a felony for any person, firm, association, or corporation to carry, bring, or introduce into this State on a motor vehicle alcoholic beverages bearing federal revenue stamps in quantities of three gallons or more unless the conveyance is sealed at the point of origin, and prescribing the punishment thereof.

Judiciary.

By Messrs. Goodwyn, Hall, Nolen and Dawkins:

H. 277. To provide for an additional member of the Advisory Board created to assist in establishing rules, regulations, and standards pursuant to Act No. 530, H. 635, approved September 2, 1949, relating to the licensing of hospitals, sanatoria, rest homes, nursing homes, and related institutions.

Health.

By Mr. Hall:

H. 278. To repeal Act No. 861, S. 14, approved September 12, 1951, entitled, "An Act requiring the owners of cattle desiring to brand such

cattle to register the brands with the Department of Agriculture and Industries and prescribing a fee therefor; making the presence of such registered brands on cattle evidence of ownership of cattle so branded; to provide for the re-registering and transfer of registered brands; to require the State Department of Agriculture and Industries to furnish copies of registered brands to livestock markets, circuit court clerks, and sheriffs; imposing certain duties relative to the sale and handling of branded cattle upon livestock markets by requiring such markets to keep records of sales, give notice thereof and furnish bills of sale to buyers; to require hide dealers to keep certain records for identification of hides and cattle; to authorize the Department of Agriculture and Industries to promulgate rules and regulations to carry out the provisions of this Act; to provide that certain violations of this Act are unlawful and constitute a misdemeanor; and providing the repeal of other laws in conflict herewith and a date upon which this Act shall become effective" (Acts of 1951 Regular Session, p. 1496).

Agriculture

By Messrs. Payne and McKay

H. 279 (With Notice and Proof). To amend Section 2 of an act entitled an act "To change the method of compensating the Register of the Circuit Court of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him." Local Acts of Alabama, 1947, page 323.

Local Legislation No. 1.

NOTICE

Notice is hereby given in accordance with Section 106 of the Constitution of Alabama that the following local act will be introduced in the 1955 session of the Legislature of Alabama when said session convenes:

AN ACT

To amend Section 2 of an act entitled an act "To change the method of compensating the Register of the Circuit Court of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him." Local Acts of Alabama, 1947, page 323.

Be It Enacted by the Legislature of Alabama:

Section 1. That section 2 of an act entitled an act "To change the method of compensation the Register of the Circuit Court of Talladega County, Alabama, placing such officer on a salary and providing for clerical assistance and office space for him," Local Acts of Alabama, 1947, page 323, be, and the same is hereby amended to read as follows:

The governing body of Talladega County shall provide sufficient clerks, deputies and other assistants to the Register of the Circuit Court, but the Register of the Circuit Court shall select the clerks, deputies and other assistants, and shall fix their compensation, but the combined compensation of such clerks, deputies and assistants selected by him shall not exceed twenty-four hundred (\$2400.00) dollars per year. The Register of the Circuit Court shall have the right to discharge the clerk, deputies and assistants at will. The county governing body is authorized to adopt rules and regulations for conducting and operating the office, if such are necessary as a result of changing the method and basis of compensation under this Act. The compensation of the clerks, deputies and assistants shall be paid in equal monthly installments out of the county treasury as other county employees are paid.

Section 2. All laws which conflict with this Act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

(Apr. 28—May 5-12-19)

THE STATE OF ALABAMA,
TALLADEGA COUNTY.

Personally appeared before me, a Notary Public in and for said County, Cecil Hornady, who being duly sworn according to law, deposes and says that he is the Editor and Publisher of the Talladega News, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consecutively, to-wit, in the issues hereof dated as follows: April 28, 1955, May 5, 1955, May 12, 1955, May 19, 1955.

CECIL HORNADY
Editor and Publisher.

Subscribed and sworn to before me this 19 day of May, 1955.

ELIZABETH M. YOUNG,
NotaryPublic.

By Messrs. Payne and McKay:

H. 280 (With Notice and Proof). To authorize and provide for the payment out of the general funds of Talladega County, Alabama, not otherwise appropriated the sum of One Thousand, fourteen and No/100 (\$1,014.00) Dollars for the relief of Manly R. Joiner for the purpose of compensating him for money advanced by him to employ needed clerical assistance in the office of the Register of the Circuit Court of Talladega County, Alabama during the years 1954 and 1955, for which advances he has not been repaid.
Notice and Proof H. 280

Local Legislation No. 1

NOTICE

Notice is hereby given in accordance with Section 106 of the Constitution of Alabama that the following local act will be introduced in the 1955 session of the Legislature of Alabama when said session convenes:

AN ACT

To authorize and provide for the payment out of the general funds of Talladega County, Alabama, not otherwise appropriated the sum of One Thousand, fourteen and no/100 (\$1,014.00) Dollars for the relief of Manly R. Joiner for the purpose of compensating him for money advanced by him to employ needed clerical assistance in the office of the Register of the Circuit Court of Talladega County, Alabama during the years 1954 and 1955, for which advances he has not been repaid.

Be It Enacted by the Legislature of Alabama:

Section 1. That the sum of One Thousand, Fourteen and no/100 (\$1,014.00) Dollars be, and the same is hereby appropriated to Manly R. Joiner out of the general funds of Talladega County, Alabama, not otherwise appropriated, in order to reimburse him for advances made by him to employ needed clerical assistance in the office of the Register of the Circuit Court of Talladega County, Alabama, during the years 1954 and 1955, for which advances he has not been repaid, and

that the Court of County Commissioners of Talladega County, Alabama be, and it is hereby authorized, empowered and directed to issue its warrant on the county depository of said county in favor of the said Manly R. Joiner in the amount of One Thousand, Fourteen and no/100 (\$1,014.00) Dollars which shall be paid by said county depository out of any of the general funds in said county depository not otherwise appropriated.

Section 2. This act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law. (Apr. 28—May 5-12-19)

THE STATE OF ALABAMA,
TALLADEGA COUNTY.

Personally appeared before me, a Notary Public in and for said County, Cecil Hornady, who being duly sworn according to law, deposes and says that he is the Editor and Publisher of the Talladega News, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consecutively, to-wit, in the issues hereof dated as follows: April 28, 1955, May 5, 1955, May 12, 1955, May 19, 1955.

CECIL HORNADY,
Editor and Publisher.

Subscribed and sworn to before me this 19 day of May, 1955.

ELIZABETH M. YOUNG,
Notary Public.

By Messrs. Adams, Johnson (Tallapoosa), Stokes, McClendon, Hunt and Burkhalter:

H. 281. To amend further Section 198 of Title 17, Code of Alabama (1940), which relates to the pay of election officers.

Ways and Means

By Messrs. deGraffenried and Callahan:

H. 282. To apply in all counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census; prescribing the time for opening and closing the polls in such counties and the municipalities therein.

Local Legislation No. 1

By Messrs. deGraffenried and Callahan:

H. 283. To amend Section 433 of Title 7, Code of Alabama (1940), which relates to the competency of parties as witnesses in civil suits and proceedings.

Judiciary

By Messrs. deGraffenried and Callahan:

H. 284. To amend further Section 2 of Title 51, Code of Alabama (1940), which relates to the persons and property exempt from taxation and licenses; providing an exemption for veterans of the armed forces of the United States totally and permanently disable as a result of their military service to the same extent as for deaf mutes, insane or blind persons.

Ways and Means

By Mr. deGraffenried:

H. 285. To provide supernumerary circuit solicitors of the State of Alabama; to provide the conditions under which a circuit solicitor may become a supernumerary circuit solicitor; to prescribe the qualifications, duties, powers, authority, compensation, method of removal from office of such supernumerary circuit solicitors; to provide for filling vacancies created by a circuit solicitor becoming a supernumerary circuit solicitor; to provide for reimbursement to such supernumerary circuit solicitors their reasonable expenses incurred for travelling on official business in counties other than that of their residence, and to appropriate funds for the payment of compensation and expenses of such supernumerary circuit solicitors.

Ways and Means

By Mr. Selman:

H. 286. To make it a misdemeanor for the owner or holder of the legal title to personal property to take or remove the same from the custody of the owner of the equitable title without his written consent, or by process of a court of competent jurisdiction.

Judiciary

By Messrs. Selman and Shumate:

H. 287. Proposing an amendment of the Constitution of Alabama relative to the abolition of county offices which are filled by election.

Constitution & Elections

The above bill was read a first time at length as required by the Constitution.

By Mr. Oakley:

H. 288. Proposing an amendment to the Constitution of Alabama relating to the public schools.

Constitution and Elections

The above bill was read a first time at length as required by the Constitution.

By Mr. Stokes:

H. 289. Relating to lists of qualified electors; directing the board of registrars in each county in the State to purge the lists and requiring and prescribing the procedure for the reidentification of each qualified elector, providing a penalty for making a willfully false statement in connection with reidentification.

Constitution and Elections

By Messrs. Roberts and Reynolds:

H. 290. To amend further Section 753 of Title 51, Code of Alabama (1940), as amended, which relates to the rate of sales tax.

Ways and Means

By Messrs. Dement and Gregory:

H. 291. Relating to taxation: levying a privilege or license tax upon every person, firm, or corporation publishing advertisements, or selling advertising space or advertising time, in the State of Alabama; providing for the collection of the tax; dedicating the proceeds thereof to the support and maintenance of the elementary schools of this State; and prescribing penalties for violations of the Act.

Ways and Means

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 79. To amend Section 204 of Title 26, 1940 Code of Alabama, as amended, the same pertaining to experience rating under the Unemployment Compensation Law.

Also:

H. 80. To amend Section 185 of Title 26, 1940 Code of Alabama, as amended, the same pertaining to the definition of "employer" under the Unemployment Compensation Law.

Also:

H. 81. To amend Section 224, Title 26, 1940 Code of Alabama, as amended, the same pertaining to the period and termination of employer's coverage under the Unemployment Compensation Law.

Also:

H. 82. To amend Section 225, Title 26, 1940 Code of Alabama, as amended, the same pertaining to employer's election under the Unemployment Compensation Law.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Cooper:

S. 30. Proposing an amendment to the Constitution relative to the abridgment of the terms of office of state, county or municipal officers, by the abolition of the office or otherwise.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, S. 30, the title to which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Constitution and Elections.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Cantrell, Allen, Grisham, Roberts, Leonard, Moses and Van Antwerp:

S. 2. To amend Sections 20 and 21 of Title 30, Code of Alabama (1940), which relate to the qualifications of persons on jury rolls.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 2. Judiciary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Davis:

H.J.R. 18. WHEREAS, it should be the policy of this State to promote the development of all segments of the economy of the State in the best interests of its citizens; and

WHEREAS, the production and manufacture of lumber, timbers, and other forest products constitute a substantial segment of the economy of this State; now therefore,

BE IT RESOLVED by the Legislature of Alabama, both Houses concurring, that all state agencies are hereby directed to draw and word specifications with respect to lumber, timbers, and other forest products to be used in building or construction projects under their jurisdiction so as to provide a fair competitive position for Alabama forest products, and to specify and use forest products produced and manufactured in Alabama in instances where structural strength, natural beauty and lasting qualities are equal and adaptable to the use intended.

H.J.R. 18 was referred to the Standing Committee on Rules.

Also:

By Mr. Summerlin:

H.J.R. 19. BE IT RESOLVED by the House of Representatives the Senate concurring that a committee of three be appointed by the Chairman of the Joint Committee, known as the Fort Morgan Committee, to go to Mobile and investigate the feasibility of obtaining from the Naval Junk Yard the small locomotive that was placed at Fort Morgan by the Southern Confederacy and also investigate the feasibility of obtaining from said junk yard, any guns that were removed from said Fort Morgan to said Naval Junk Yard.

BE IT FURTHER RESOLVED that the expenses of said committee be paid out of the legislative appropriation.

On motion of Mr. Summerlin the rules were suspended and H.J.R. 19 was adopted.

Also:

By Mr. Davis:

H.J.R. 20. WHEREAS, it should be the policy of this State to promote the development of all segments of the economy of the State in the best interests of its citizens; and

WHEREAS, the production and manufacture of lumber, timbers, and other forest products constitute a substantial segment of the economy of this State; now therefore,

BE IT RESOLVED by the Legislature of Alabama, both Houses concurring, that all state agencies are hereby directed to draw and word

specifications with respect to lumber, timbers, and other forest products to be used in building or construction projects under their jurisdiction so as to provide a fair competitive position for Alabama forest products, and to specify and use forest products produced and manufactured in Alabama in instances where structural strength, natural beauty and lasting qualities are equal and adaptable to the use intended.

On motion of Mr. Davis the rules were suspended and H. J. R. 20 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:

By Mr. Lamberth:

SJR 10. Resolved by the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again Friday, May 27, 1955.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Dawkins the rules were suspended and the House concurred in and adopted the S.J.R. 10 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Lamberth, Roberts and Flowers

S. 93. To make an additional appropriation to the Department of Finance, Division of Service, for the payment of salaries, repairs and alterations, additions and betterments, and equipment purchases for State buildings for the fiscal year ending September 30, 1955.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 93. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Calvin, Lamberth and Robison:

S. 77. To authorize the Governor to enter into a contract with the Michie Publishing Company to replace any volume or volumes of the Code of Alabama 1940.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 77. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 39. To appropriate out of any funds in the State Treasury not otherwise appropriated, the sum of \$375,000.00 to the Armory Commission of Alabama for the fiscal year ending September 30, 1955, to be used for providing additional armory facilities required by the Alabama National Guard and the Air National Guard units and headquarters and to be allotted and expended only when matching funds are made available by the United States Government for such purposes.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Lamberth, Van Antwerp, Flowers, Metcalf, Roberts, Skidmore, Yarbrough (Randolph), Reeves, Vann, Goodwin, Newton, Allen, Davis (Lowndes), Jones, Cooper, Robison, Leonard, Cantrell, Little, Grisham and Engelhardt:

S. 65. To provide for civil defense upon the occurrence of distasters or emergencies: Creating and establishing within the executive branch of the State Government a department of Civil Defense and authorizing the creation of local organizations for civil defense in the political subdivisions of the State; conferring upon the Governor and upon governing bodies of political subdivisions emergency powers with respect to civil defense; providing for the rendering of mutual aid among political subdivisions, and with other States, and with the Federal Government; ratifying and confirming all mutual interstate aid agreements and pacts heretofore entered into between the State of Alabama and other States of the United States; authorizing the establishment of such organizations and the taking of such steps as are necessary and appropriate to carry out the provisions of this Act; imposing penalties for violations of the Act or any rule, order or regulation made pursuant to the Act; and making an appropriation.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 65. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 50. To amend Section 2 of Article 1 of Chapter 2 of Title 62 of the Code of Alabama of 1940 withdrawing Lawrence County, Alabama, from the application of said article 1.

Also:

H. 165. Relating to Talladega County; to authorize the county governing body to appropriate county funds, within prescribed limits, for the payments of certain obligations of the county.

Also:

H. 157. Relating to Lawrence County; to authorize the Board of Revenue to compensate certain employees of the county who were injured while engaged in the performance of their duties as such county employees.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

HJR 19. Relative to appointing a subcommittee from the Fort Morgan Committee for additional duties.

J. E. SPEIGHT,
Secretary.

BILLS ON THIRD READING

H. 169 (with amendment): Proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Walker County.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

AMENDMENT OF H.B. 169

Strike out paragraph 7 on page 2 of the bill and substitute the following:

"7. To levy and collect annually, in addition to all other taxes now authorized or permitted, a special tax or taxes of not exceeding two percent on the value of all taxable property therein as determined for

state taxation, in the same manner as other municipal taxes are levied and collected, provided the levying of such tax or taxes be first approved by a majority of the qualified electors of such municipality voting at an election held for such purpose. Such tax may be levied upon all property in the municipality or upon all property in any district the boundaries of which the governing body of such municipality shall describe and which it shall determine to be especially improved and benefited by any proposed use or expenditure of the proceeds of such tax."

Also, insert the phrase, "except as herein otherwise provided," between the words "governing body" and the words "to do any one or more of the following," appearing in the first paragraph of the proposed amendment.

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Faulk	Johnson (Tallapoosa)	Oakley
Adams	Ferrell	Kelly	Oden
Albea	Franklin	Killough	Payne
Ashworth	Gilchrist	Kirkham	Pirkle
Bassett	Gist	Lackey	Pruitt
Boyd	Goodwyn	Law	Ramey
Bradford	Gregory	Lee (Barbour)	Richardson
Brannan	Grouby	Lee (Lawrence)	Roberts
Branyon	Hain	Locke (Choctaw)	Selman
Brassell	Hall	Locke (Perry)	Shumate
Brewer	Haltom	McClendon	Simon
Broadfoot	Hanby	McKay	Speaks
Brown (Lamar)	Hardy	McLendon	Steagall
Burkhalter	Hare	McNider	Stembridge
Callahan	Harrison	Martin	Summerlin
Cox	Harvey	Mathews	Taylor
Crook	Hawkins	Mathison	Thomas
Davis	Hodges	Molette	Tyson
deGraffenried	Huddleston	Money	Vacca
Dement	Hunt	Murphy	Ward
DeSear	Jenkins	Nettles	Windle
Edwards (Jefferson)	Johnson (Elmore)		

—86

And said bill, H. 169, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Broadfoot	Faulk	Hanby
Adams	Brown (Lamar)	Ferrell	Hardy
Albea	Burkhalter	Franklin	Hare
Ashworth	Callahan	Gilchrist	Harrison
Bassett	Cox	Gist	Harvey
Boyd	Crook	Goodwyn	Hawkins
Bradford	Davis	Gregory	Hodges
Brannan	deGraffenried	Grouby	Huddleston
Branyon	Dement	Hain	Hunt
Brassell	DeSear	Hall	Jenkins
Brewer	Edwards (Jefferson)	Haltom	Johnson (Elmore)

Johnson (Tallapoosa)	McKay	Oden	Speaks
Kelly	McLendon	Payne	Steagall
Killough	McNider	Pirkle	Stembridge
Kirkham	Martin	Pruitt	Summerlin
Lackey	Mathews	Ramey	Taylor
Law	Mathison	Richardson	Thomas
Lee (Barbour)	Molette	Roberts	Tyson
Lee (Lawrence)	Money	Selman	Vacca
Locke (Choctaw)	Murphy	Shumate	Ward
Locke (Perry)	Nettles	Simon	Windle
McClendon	Oakley		

—86

And the bill:

H. 24. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Elmore County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Faulk	Johnson (Tallapoosa)	Oakley
Adams	Ferrell	Kelly	Oden
Albea	Franklin	Killough	Payne
Ashworth	Gilchrist	Kirkham	Pirkle
Bassett	Gist	Lackey	Pruitt
Boyd	Goodwyn	Law	Ramey
Bradford	Gregory	Lee (Barbour)	Richardson
Brannan	Grouby	Lee (Lawrence)	Roberts
Branyon	Hain	Locke (Choctaw)	Selman
Brassell	Hall	Locke (Perry)	Shumate
Brewer	Haltom	McClendon	Simon
Broadfoot	Hanby	McKay	Speaks
Brown (Lamar)	Hardy	McLendon	Steagall
Burkhalter	Hare	McNider	Stembridge
Callahan	Harrison	Martin	Summerlin
Cox	Harvey	Mathews	Taylor
Crook	Hawkins	Mathison	Thomas
Davis	Hodges	Molette	Tyson
deGraffenried	Huddleston	Money	Vacca
Dement	Hunt	Murphy	Ward
DeSear	Jenkins	Nettles	Windle
Edwards (Jefferson)	Johnson (Elmore)		

—86

And the bill:

H. 181. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Montgomery County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Albea	Bassett	Bradford
Adams	Ashworth	Boyd	Brannan

Branyon	Goodwyn	Killough	Oden
Brassell	Gregory	Kirkham	Payne
Brewer	Grouby	Lackey	Pirkle
Broadfoot	Hain	Law	Pruitt
Brown (Lamar)	Hall	Lee (Barbour)	Ramey
Burkhalter	Haltom	Lee (Lawrence)	Richardson
Callahan	Hanby	Locke (Choctaw)	Roberts
Cox	Hardy	Locke (Perry)	Selman
Crook	Hare	McClendon	Shumate
Davis	Harrison	McKay	Simon
Dawkins	Harvey	McLendon	Speaks
deGraffenried	Hawkins	McNider	Steagall
Dement	Hodges	Martin	Stembridge
DeSear	Holliman	Mathews	Summerlin
Edwards (Jefferson)	Huddleston	Mathison	Taylor
Faulk	Hunt	Molette	Thomas
Ferrell	Jenkins	Money	Tyson
Franklin	Johnson (Elmore)	Murphy	Vacca
Gilchrist	Johnson (Tallapoosa)	Nettles	Ward
Gist	Kelly	Oakley	Windle

—88

And the bill:

H. 182. To amend Act No. 301, H. 595, approved July 27, 1951, which authorizes the clerk of the Circuit Court of Lee County to employ clerical assistance (1950-51 Acts, Vol. 1, page 596).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Faulk	Johnson (Elmore)	Oakley
Adams	Ferrell	Johnson (Tallapoosa)	Oden
Albea	Franklin	Kelly	Payne
Ashworth	Gilchrist	Killough	Pirkle
Bassett	Gist	Kirkham	Pruitt
Boyd	Goodwyn	Lackey	Ramey
Bradford	Gregory	Law	Richardson
Brannan	Grouby	Lee (Barbour)	Roberts
Branyon	Hain	Lee (Lawrence)	Selman
Brassell	Hall	Locke (Choctaw)	Shumate
Brewer	Haltom	Locke (Perry)	Simon
Broadfoot	Hanby	McClendon	Speaks
Brown (Lamar)	Hardy	McKay	Steagall
Burkhalter	Hare	McLendon	Stembridge
Callahan	Harrison	McNider	Summerlin
Cox	Harvey	Martin	Taylor
Crook	Hawkins	Mathews	Thomas
Davis	Hodges	Mathison	Tyson
deGraffenried	Holliman	Molette	Vacca
Dement	Huddleston	Money	Ward
DeSear	Hunt	Murphy	Windle
Edwards (Jefferson)	Jenkins	Nettles	

—87

And the bill:

S. 24. To alter and re-arrange the boundary lines of the City of Demopolis, Marengo County, Alabama, so as to include within the

corporate limits of said City the territory described in Section One of this Bill.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Faulk	Johnson ^(Elmore)	Oakley
Adams	Ferrell	Johnson ^(Tallapoosa)	Oden
Albea	Franklin	Kelly	Payne
Ashworth	Gilchrist	Killough	Pirkle
Bassett	Gist	Kirkham	Pruitt
Boyd	Goodwyn	Lackey	Ramey
Bradford	Gregory	Law	Richardson
Brannan	Grouby	Lee ^(Barbour)	Roberts
Branyon	Hain	Lee ^(Lawrence)	Selman
Brassell	Hall	Locke ^(Choctaw)	Shumate
Brewer	Haltom	Locke ^(Perry)	Simon
Broadfoot	Hanby	McClendon	Speaks
Brown ^(Lamar)	Hardy	McKay	Steagall
Burkhalter	Hare	McLendon	Stembridge
Callahan	Harrison	McNider	Summerlin
Cox	Harvey	Martin	Taylor
Crook	Hawkins	Mathews	Thomas
Davis	Hodges	Mathison	Tyson
deGraffenried	Holliman	Molette	Vacca
Dement	Huddleston	Money	Ward
DeSear	Hunt	Murphy	Windle
Edwards ^(Jefferson)	Jenkins	Nettles	

—87

And the bill:

S. 36. Relating to Talladega County: To provide that any person who was registered as an elector of Talladega County prior to January 1, 1955, whose name appeared on the list of registered electors of said county on that date, who has not removed, died, or become disqualified, as provided by law, shall be conclusively presumed to be a qualified elector of said county.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Crook	Haltom	Kirkham
Adams	Davis	Hanby	Lackey
Albea	deGraffenried	Hardy	Law
Ashworth	Dement	Hare	Lee ^(Barbour)
Bassett	Edwards ^(Jefferson)	Harrison	Lee ^(Lawrence)
Boyd	Faulk	Harvey	Locke ^(Choctaw)
Bradford	Ferrell	Hawkins	Locke ^(Perry)
Brannan	Franklin	Hodges	McClendon
Branyon	Gilchrist	Holliman	McKay
Brassell	Gist	Huddleston	McLendon
Brewer	Goodwyn	Hunt	McNider
Broadfoot	Gregory	Jenkins	Martin
Brown ^(Lamar)	Grouby	Johnson ^(Elmore)	Mathews
Burkhalter	Hain	Johnson ^(Tallapoosa)	Mathison
Callahan	Hall	Kelly	Molette
Cox		Killough	Money

Murphy	Pruitt	Simon	Thomas
Nettles	Ramey	Speaks	Tyson
Oakley	Richardson	Steagall	Vacca
Oden	Roberts	Stembridge	Ward
Payne	Selman	Summerlin	Windle
Pirkle	Shumate	Taylor	

—87

And the bill:

H. 59. Relating to civil remedies and procedure: to provide further for venue in actions on policies or certificates of insurance.

Was taken up.

Mr. Hare offered the following substitute for the bill, H. 59:

A BILL
TO BE ENTITLED
AN ACT

Substitute for H.B. 59. Relating to civil remedies and procedure: to provide further for venue in actions on policies or certificates of insurance.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any person, firm, or corporation that issues policies or certificates of insurance of any kind shall be suable on any such policy or certificate in the county where the holder of the policy or certificate resides, and the summons may be executed by serving a copy of the summons and complaint upon any officer or agent of the insurer; provided, that a foreign insurance corporation shall be sued only in a county where it does business. For the purpose of this Act, any of the following acts effected by mail or otherwise shall constitute doing business within the county: (1) the making, issuance, or delivery of contracts of insurance to residents of the county; (2) the solicitation of applications for such contracts; (3) the collection of premiums, membership fees, assessments or other considerations for such contracts; (4) any other transaction of insurance business.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 94; Nays 2.

Yeas:

Mr. Speaker	Broadfoot	DeSear	Gregory
Adams	Brown (Lamar)	Dickson	Grouby
Albea	Burkhalter	Edwards ^(Escambia)	Hain
Ashworth	Callahan	Edwards ^(Jefferson)	Hall
Bassett	Cornett	Faulk	Hanby
Boyd	Cox	Ferrell	Hardy
Bradford	Crook	Franklin	Hare
Brannan	Davis	Gilchrist	Harrison
Brassell	deGraffenried	Gist	Harvey
Brewer	Dement	Goodwyn	Hawkins

Hodges	Lee (Lawrence)	Nettles	Simon
Holliman	Locke (Choctaw)	Nice	Solomon
Huddleston	Locke (Perry)	Nolen	Speaks
Hunt	McClendon	Oakley	Steagall
Jenkins	McKay	Oden	Stembridge
Johnson (Elmore)	McLendon	Payne	Stokes
Johnson (Tallapoosa)	McNider	Pirkle	Summerlin
Kelly	Martin	Pruitt	Taylor
Kendall	Mathews	Ramey	Thomas
Killough	Mathison	Richardson	Tyson
Kirkham	Meeks	Roberts	Vacca
Lackey	Molette	Selman	Ward
Law	Money	Shumate	Windle
Lee (Barbour)	Murphy		

—94

Nays: Messrs. Branyon and Haltom.

—2

And said bill, H. 59, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 8.

Yeas:

Mr. Speaker	Faulk	Johnson (Tallapoosa)	Payne
Albea	Ferrell	Kelly	Pirkle
Ashworth	Franklin	Kendall	Pruitt
Bassett	Gilchrist	Killough	Ramey
Bradford	Gist	Kirkham	Richardson
Brannan	Goodwyn	Law	Roberts
Brassell	Gregory	Lee (Barbour)	Selman
Brewer	Grouby	Lee (Lawrence)	Shumate
Broadfoot	Hain	Locke (Perry)	Simon
Brown (Lamar)	Hall	McClendon	Solomon
Burkhalter	Hanby	McKay	Speaks
Callahan	Hare	McLendon	Steagall
Cornett	Harrison	McNider	Stembridge
Cox	Harvey	Mathews	Stokes
Crook	Hawkins	Mathison	Summerlin
Davis	Hodges	Money	Taylor
deGraffenried	Holliman	Murphy	Thomas
Dement	Huddleston	Nettles	Tyson
DeSear	Hunt	Nice	Vacca
Dickson	Jenkins	Oakley	Ward
Edwards (Escambia)	Johnson (Elmore)	Oden	Windle

—84

Nays:

Messrs.	Dawkins	Kaul	Nolen
Boyd	Haltom	Locke (Choctaw)	Perry
Brannan			

—8

And the bill:

H. 28. To propose an amendment to the Constitution abolishing the poll tax as a prerequisite to voting.

Was taken up.

On motion of Mr. Hawkins, further consideration of the bill, H. 28, was postponed until the fifteenth legislative day.

And the bill:

H. 29. Relating to the qualifications of an elector; amending further Section 12 of Title 17, Code of Alabama (1940), as amended.

Was taken up.

On motion of Mr. Hawkins, further consideration of the bill, H. 29, was postponed until the fifteenth legislative day.

And the bill:

H. 75. To create a fund which shall be known as the Solicitor's Fund in the Thirteenth Judicial Circuit of Alabama; to provide for the appropriation of monies to said fund from the solicitors fees taxed and collected in all criminal cases in all courts in the Thirteenth Judicial Circuit and to authorize the expenditure of said fund by the Solicitor of the Thirteenth Judicial Circuit for law enforcement and the discharge of the duties of his office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Edwards ^(Jefferson)	Johnson ^(Tallapoosa)	Nice
Adams	Faulk	Kaul	Nolen
Albea	Ferrell	Kelly	Oden
Ashworth	Franklin	Killough	Payne
Bassett	Gilchrist	Kirkham	Perry
Boyd	Gist	Lackey	Pirkle
Bradford	Goodwyn	Law	Pruitt
Brannan	Gregory	Lee ^(Barbour)	Ramey
Branyon	Grouby	Lee ^(Lawrence)	Roberts
Brassell	Hain	Locke ^(Choctaw)	Selman
Broadfoot	Hall	Locke ^(Perry)	Shumate
Brown ^(Lamar)	Haltom	McClendon	Simon
Burkhalter	Hanby	McKay	Solomon
Callahan	Hardy	McLendon	Speaks
Cornett	Hare	McNider	Steagall
Crook	Harrison	Martin	Stembridge
Davis	Harvey	Mathews	Stokes
Dawkins	Hawkins	Mathison	Taylor
deGraffenried	Hodges	Meeks	Thomas
Dement	Holliman	Molette	Tyson
DeSear	Hunt	Money	Vacca
Dickson	Jenkins	Murphy	Ward
Edwards ^(Escambia)	Johnson ^(Elmore)	Nettles	Windle

—92

And the bill:

H. 41. Relating to the industrial development of the State of Alabama; to create a Department of Industrial Development; to provide for the appointment of the Director thereof and to fix his compensation; to define the powers and duties of said Department and Director; to authorize the creation of divisions within said Department and the appointment of the personnel thereof; to provide for an Industrial Development Board and for the appointment, terms and compensation

of its members; to prescribe its powers, duties and authority; to transfer the powers, authority, duties, functions, funds, books, records, furniture, fixtures, supplies and equipment from the State Planning Board to the Department of Industrial Development; to abolish the State Planning Board; to repeal an act entitled "An Act To create a State Planning Board and to provide for the appointment, removal, term, and compensation of the members thereof; to fix the powers, authority, and duties of the board; to provide for the appointment of a director of the board and for the selection of employees; and to make an appropriation for the maintenance and operation of the board", approved June 18, 1943.

Was taken up.

Mr. Oden offered the following substitute for the bill, H. 41:

SUBSTITUTE FOR H. B. 41

A BILL TO BE ENTITLED AN ACT

Relating to the industrial development of the State of Alabama; to create a Department of Industrial Development, provide for the appointment of the Director thereof and fix his compensation; define the powers and duties of said Department and Director, authorize the creation of divisions within said Department and the appointment of the personnel thereof; provide for an Industrial Development Board and for the appointment, terms and compensation of its members, prescribe its powers, duties and authority; transfer the powers, authority, duties, functions, funds, books, records, furniture, fixtures, supplies, equipment, and personnel from the State Planning Board to the Department of Industrial Development; abolish the State Planning Board and repeal an act entitled "An Act To create a State Planning Board and to provide for the appointment, removal, term, and compensation of the members thereof; to fix the powers, authority, and duties of the board; to provide for the appointment of a director of the board and for the selection of employees; and to make an appropriation for the maintenance and operation of the board," approved June 18, 1943; transfer the functions, power, authority, duties, funds, books, records, furniture, fixtures, supplies, equipment, and personnel of the Department of Publicity and Information, and of the director thereof, to the Department of Industrial Development, and abolish the Department of Publicity and Information.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Department of Industrial Development—Creation.—(a) There is hereby created a department of the State of Alabama which shall be known as the Department of Industrial Development. The department shall be headed by and be under the direction of the Director of Industrial Development, who shall be appointed by the Governor and serve at his pleasure. Suitable office space shall be provided the department in the City of Montgomery. The department shall aid, encourage, protect, and promote existing industries and commercial enterprises of the State by any means deemed appropriate; give technical research and advisory aid to existing industry and commerce in the State; advertise nationally the State's industrial and commercial advantages; advocate advantages of location within the State to industrial and commercial prospects through personal contact by traveling representatives, by furnishing specially prepared studies, by correspondence, printed materials, and other appropriate means; maintain a staff of experienced personnel capable of providing prompt, informed

cooperation to industry and commercial enterprises; provide industrial and commercial prospects with up-to-date factual reports on available plant sites, buildings, warehouse and distribution locations and existing structures, labor, water, gas, and electric power, taxes, wages and salaries, and other basic locational data; conduct industrial and commercial prospects on field inspections of potential plants or commercial locations; assist cities, towns, counties, areas and regions in the survey and analysis of their industrial resources and needs; counsel on new or additional industrial plant or commercial building construction; coordinate and present effectively the interests, resources, and advantages of every community in the State capable of meeting operational requirements of industrial and commercial prospects; bring the State's industrial and commercial opportunities to the attention of investors and other entrepreneurs, both within and without the State; and foster increased employment opportunities within the State.

Section 2. Director—Appointment, Compensation, Bond. — The Director of the Department of Industrial Development shall take the constitutional oath of office required of other state officers and shall execute a bond for the faithful performance of his duties in the sum of twenty-five thousand dollars with a surety company authorized to do business in the State of Alabama, to be approved by the Governor and filed in the office of the Secretary of State. The salary of the Director shall be fixed by the Governor in an amount not exceeding ten thousand dollars per annum, and shall be paid as the salaries of other state officers are paid. The Director of Industrial Development shall devote his full time to his official duties.

Section 3. Director—Powers—Duties—Personnel. — (a) The Director shall establish within the department a division of plans and a division of development and such other units as may be necessary or convenient in the efficient and expeditious performance of the functions and duties of the Department of Industrial Development. He may assign and re-assign functions and duties. All functions and duties of the department shall be exercised by the director acting by and through such administrative divisions or offices as he may designate, and he shall have all power and authority necessary or convenient to carry out the functions and duties of the department and the directives of the Industrial Development Board hereinafter provided for. The appointment of chiefs of divisions and all other employees and personnel of the department shall be made by the director subject to the provisions of the Merit System Act. The director of the State Planning Board shall be chief of the division of plans, and shall be transferred to the department and be given merit system status; provided, his compensation shall be fixed by the director in accordance with the pay plan adopted by the State Personnel Board.

(b) There is hereby transferred to the Department of Industrial Development all the functions, power, authority, duties, funds, books, records, furniture, fixtures, supplies, equipment, and personnel of the State Planning Board and of the director thereof; and the functions of the State Planning Board and of the director thereof shall be exercised hereafter by the division of plans in said department. The city planning function of the Planning Board shall be continued by the Department of Industrial Development.

(c) The functions, power, authority, duties, funds, books, records, furniture, fixtures, supplies, equipment, and personnel of the Department of Publicity and Information, and of the director thereof, are hereby transferred to the Department of Industrial Development; and hereafter the functions of the Department of Publicity and Information shall be

exercised and performed by the division of development of the Department of Industrial Development.

Section 4. Industrial Development Board—Creation—Members.—There is hereby created and established an Industrial Development Board, which shall consist of eleven members, nine of whom shall be appointed by the Governor, one from each congressional district, to serve at the pleasure of the Governor. The Governor shall be ex officio chairman of the Board. The Commissioner of Agriculture and Industries shall be vice chairman and a member of the Board, and shall preside at all meetings of the Board in the absence of the Governor. The Director of the Department of Industrial Development shall be the Secretary of the Board. Members of the Board shall hold office for terms concurrent with the term of the Governor and any member may be removed by the Governor upon his failure to attend meetings regularly or to perform properly his duties as a member of the Board. The appointed members of the Board shall be paid twenty-five dollars per day for each day they are engaged in attendance upon meetings of the Board, and each member shall be reimbursed actual expenses incurred in attending such meetings of the Board when approved by the Governor. The Board may have an appropriate seal with such words and emblem as it may prescribe. A majority of the Board shall constitute a quorum for the transaction of business. The secretary shall notify each member in writing of all meetings of the Board in such manner and under such rules and regulations as the Board may prescribe. The Board shall adopt rules and regulations for the transaction of its business; and the secretary shall keep a record of all its proceedings and furnish a copy of same to each member of the Board upon request therefor. No person holding a public office or public employment shall be eligible for appointment as a member of the Board.

Section 5. Industrial Development Board—Powers and Duties.—The Industrial Development Board shall proceed with a plan and program of information and publicity designed to attract new industries to Alabama and to encourage and coordinate the efforts of other public and private organizations or groups of citizens to publicize the advantages and attractions of Alabama to the same end. It shall publicize and promote the economic advantages offered within the State of Alabama, including available labor supply, advantageous industrial locations and other attractions to make it a desirable place for industry. It shall have the power to contract with agencies of any type or wherever situated that would tend to promote the objectives of this Act; to contract with or enter into cooperate agreements with such individuals, partnerships, corporations, public or private associations, societies, educational institutions, chambers of commerce, and other organized groups as may be deemed advantageous and proper to effectuate the intent and purpose of this Act. It may accept unconditional gifts or money to be expended in the furtherance of the purposes of this Act.

Upon the request of the department, the Governor may, from time to time, for the purpose of making or assisting in special surveys under the direction of the department, assign or detail to the department members of the staff or personnel of any state administrative department, bureau, institution, or agency, or may direct any such special surveys or studies requested by the department.

Section 6. Industrial Development Advisory Committee — There shall be established an industrial development advisory committee consisting of sixty-seven members appointed by the Governor, one from each county in the State.

Section 7. State Planning Board and the Department of Publicity and Information Abolished.—The State Planning Board and the Department of Publicity and Information are hereby abolished.

Section 8. Repeal.—All laws and parts of laws, general, special, private or local, in conflict with or inconsistent with the provisions of this Act are hereby repealed, and the Act entitled, "An Act to create a State Planning Board and to provide for the appointment, removal, term, and compensation of the members thereof; to fix the powers, authority, and duties of the board; to provide for the appointment of a director of the board and for the selection of employees; and to make an appropriation for the maintenance and operation of the board," approved June 18, 1943, is expressly repealed.

Section 9. Severability.—The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the part or parts which remain.

Section 10. Effective Date. — This Act shall become effective immediately upon its passage and approval of the Governor, or upon its otherwise becoming law.

Mr. Thomas moved that further consideration of the bill, H. 41, and pending substitute, be postponed until the fifteenth legislative day.

The motion of Mr. Oden to lay on the table the motion of Mr. Thomas to postpone further consideration of the bill, H. 41, and pending substitute, until the fifteenth legislative day was lost.

Yeas 32; Nays 61.

Yeas:

Mr. Speaker	Dement	Law	Selman
Albea	Edwards (Escambia)	Lee (Lawrence)	Shumate
Branyon	Ferrell	Mathews	Simon
Brassell	Gist	Mathison	Speaks
Brewer	Gregory	Money	Steagall
Brown (Lamar)	Johnson (Elmore)	Murphy	Stembridge
Burkhalter	Johnson (Tallapoosa)	Oden	Tyson
Cox	Kelly	Roberts	Vacca

—32

Nays:

Messrs.	Faulk	Jenkins	Nettles
Adams	Franklin	Kaul	Nice
Ashworth	Gilchrist	Kendall	Nolen
Bassett	Goodwyn	Killough	Oakley
Boyd	Grouby	Kirkham	Payne
Bradford	Hain	Lackey	Perry
Brannan	Hall	Lee (Barbour)	Pirkle
Callahan	Haltom	Locke (Perry)	Pruitt
Cornett	Hanby	McClendon	Richardson
Crook	Hardy	McKay	Solomon
Davis	Harrison	McLendon	Stokes
Dawkins	Hawkins	McNider	Summerlin
deGraffenried	Hodges	Martin	Taylor
DeSear	Holliman	Meeks	Thomas
Dickson	Huddleston	Molette	Windle
Edwards (Jefferson)	Hunt		

—61

And the motion of Mr. Thomas to postpone further consideration of the bill, H. 41, and pending substitute until the fifteenth legislative day was adopted.

Yeas 62; Nays 33.

Yeas:

Messrs.	Franklin	Kaul	Nice
Adams	Gilchrist	Kendall	Nolen
Ashworth	Goodwyn	Killough	Oakley
Bassett	Grouby	Kirkham	Payne
Boyd	Hain	Lackey	Perry
Bradford	Hall	Lee (Barbour)	Pirkle
Brannan	Haltom	Locke (Choctaw)	Pruitt
Callahan	Hanby	Locke (Perry)	Richardson
Cornett	Hardy	McClendon	Solomon
Crook	Harrison	McKay	Steagall
Dawkins	Hawkins	McLendon	Stokes
deGraffenried	Hodges	McNider	Summerlin
DeSear	Holliman	Martin	Taylor
Dickson	Huddleston	Meeks	Thomas
Edwards (Jefferson)	Hunt	Molette	Windle
Faulk	Jenkins	Nettles	

—62

Nays:

Mr. Speaker	Dement	Law	Roberts
Albea	Edwards (Escambia)	Lee (Lawrence)	Selman
Branyon	Ferrell	Love	Shumate
Brassell	Gist	Mathews	Simon
Brewer	Gregory	Mathison	Speaks
Brown (Lamar)	Johnson (Elmore)	Money	Stembridge
Burkhalter	Johnson (Tallapoosa)	Murphy	Tyson
Cox	Kelly	Oden	Vacca
Davis			

—33

And the bill:

H. 30 (with amendments). Relating to state government administration; creating a State Banking Department, and defining its powers and duties; transferring to the department the administration of the laws relating to banks and banking, credit unions, savings and loan associations, and the small-loan business; transferring to the department the bureau of banking, the bureau of savings and loan, and the bureau of loans of the department of commerce, and the personnel, funds, equipment, and supplies of such bureaus; providing for a superintendent of banks as head of the State Banking Department; prescribing his salary, qualifications, and duties; and abolishing the Department of Commerce and the office of Director of Commerce.

Was taken up.

The question was upon the adoption of the amendments reported by the Standing Committee on State Administration, said committee amendments being as follows:

STATE ADMINISTRATION COMMITTEE AMENDMENT NO. 1 TO H.B. 30. Amend House Bill 30 by striking out Section 11 thereof as the same now appears and inserting in lieu thereof the following:

Section 11. The Superintendent of Banks may with the concurrence of a majority of the members of the State Banking Board promul-

gate such reasonable rules and regulations, consistent with the laws of this state, as may be necessary to carry out the provisions of this act.

And the amendment was adopted.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Ferrell	Killough	Oden
Adams	Franklin	Kirkham	Payne
Albea	Gilchrist	Lackey	Perry
Ashworth	Gist	Law	Pirkle
Bassett	Gregory	Lee (Barbour)	Pruitt
Boyd	Grouby	Lee (Lawrence)	Ramey
Bradford	Hain	Locke (Choctaw)	Roberts
Brannan	Haltom	Locke (Perry)	Selman
Branyon	Hanby	McClendon	Shumate
Brassell	Hardy	McKay	Simon
Brewer	Hare	McLendon	Solomon
Broadfoot	Harrison	McNider	Speaks
Brown (Lamar)	Harvey	Martin	Steagall
Burkhalter	Hawkins	Mathews	Stembridge
Callahan	Hodges	Mathison	Stokes
Cox	Holliman	Meeks	Summerlin
Crook	Huddleston	Molette	Taylor
Davis	Hunt	Money	Thomas
deGraffenried	Jenkins	Murphy	Tyson
Dement	Johnson (Elmore)	Nettles	Vacca
Dickson	Johnson (Tallapoosa)	Nice	Ward
Edwards (Escambia)	Kelly	Oakley	Windle
Edwards (Jefferson)	Kendall		

—90

And:

STATE ADMINISTRATION COMMITTEE AMENDMENT NO. 2
TO H.B. 30. Amend House Bill 30, the caption and sections to read
"Superintendent of Banks and Savings and Loan Commissioner"
wherever Superintendent of Banks appears.

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crook	Hanby	Lackey
Adams	Davis	Hardy	Law
Albea	deGraffenried	Hare	Lee (Barbour)
Ashworth	Dement	Harrison	Lee (Lawrence)
Bassett	DeSear	Harvey	Locke (Choctaw)
Boyd	Dickson	Hawkins	Locke (Perry)
Bradford	Edwards (Escambia)	Hodges	Love
Brannan	Edwards (Jefferson)	Holliman	McClendon
Branyon	Faulk	Huddleston	McKay
Brassell	Ferrell	Hunt	McNider
Brewer	Franklin	Jenkins	Martin
Broadfoot	Gilchrist	Johnson (Elmore)	Mathews
Brown (Lamar)	Gist	Johnson (Tallapoosa)	Mathison
Burkhalter	Gregory	Kelly	Meeks
Callahan	Grouby	Kendall	Molette
Cornett	Hain	Killough	Money
Cox	Haltom	Kirkham	Murphy

Nettles	Pruitt	Solomon	Taylor
Nice	Ramey	Speaks	Thomas
Oakley	Roberts	Steagall	Tyson
Oden	Selman	Stembridge	Vacca
Payne	Shumate	Stokes	Ward
Perry	Simon	Summerlin	Windle
Pirkle			

—93

Mr. Hawkins offered the following amendment to the bill, H. 30, as amended:

To amend House Bill No. 30 by striking out Sections 4, 13, and 15 thereof as the same now appear and inserting in lieu thereof the following:

Section 4. The State Banking Department shall be under the supervision and control of the Superintendent of Banks, who shall be the chief executive officer of the Department. The Superintendent of Banks shall be appointed by the Governor for a term of four years, and shall hold office subject to the will and pleasure of the Governor. All powers, duties, and authority vested in the State Banking Department shall be exercised by the Superintendent of Banks, through the several bureaus and subdivisions thereof under the supervision of the Superintendent of Banks.

Section 13. The Bureau of Banking, including the banking board, the bureau of savings and loan, including the savings and loan board, and the bureau of loans of the department of commerce, and all the funds, papers, documents, files, materials, equipment, supplies, and other effects of such bureaus, and all personnel thereof, are hereby transferred to the State Banking Department. The transfer of such personnel to the Department created by this Act shall not impair their merit system status. All functions, powers, and duties heretofore exercised by the Director of Commerce shall hereafter be done and performed by the Superintendent of Banks and Savings and Loan Commissioner.

Section 15. Sections 19, 20, 22, 24, 25, 26, 27, and 28, of Title 55, Code of Alabama 1940, and all other laws or parts of laws in conflict with the provisions of this Act are repealed; provided that Sections 21 and 23, of Title 55, Code of Alabama 1940, shall not be repealed.

And the amendment was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Cox	Gregory	Jenkins
Albea	Crook	Grouby	Johnson (Elmore)
Ashworth	Davis	Hain	Johnson (Tallapoosa)
Bassett	deGraffenried	Haltom	Kelly
Boyd	Dement	Hanby	Kendall
Bradford	DeSear	Hardy	Killough
Brannan	Dickson	Hare	Kirkham
Branyon	Edwards (Escambia)	Harrison	Lackey
Brassel	Edwards (Jefferson)	Harvey	Law
Brewer	Faulk	Hawkins	Lee (Barbour)
Broadfoot	Ferrell	Hodges	Lee (Lawrence)
Brown (Lamar)	Franklin	Holliman	Locke (Choctaw)
Burkhalter	Gilchrist	Huddleston	Locke (Perry)
Callahan	Gist	Hunt	

Love	Molette	Pruitt	Stembridge
McClendon	Money	Ramey	Stokes
McKay	Murphy	Roberts	Summerlin
McLendon	Nettles	Selman	Taylor
McNider	Nice	Shumate	Thomas
Martin	Oakley	Simon	Tyson
Mathews	Oden	Solomon	Vacca
Mathison	Payne	Speaks	Ward
Meeks	Pirkle	Steagall	Windle

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And said bill, H. 30, as amended, was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Faulk	Kendall	Oden
Albea	Ferrell	Killough	Payne
Ashworth	Franklin	Kirkham	Perry
Bassett	Gilchrist	Lackey	Pirkle
Boyd	Gist	Law	Pruitt
Bradford	Gregory	Lee (Barbour)	Ramey
Brannan	Grouby	Lee (Lawrence)	Richardson
Branyon	Hain	Locke (Choctaw)	Roberts
Brassell	Haltom	Locke (Perry)	Selman
Brewer	Hanby	Love	Shumate
Broadfoot	Hardy	McClendon	Simon
Brown (Lamar)	Hare	McKay	Solomon
Burkhalter	Harrison	McLendon	Speaks
Callahan	Harvey	McNider	Steagall
Cox	Hawkins	Martin	Stembridge
Crook	Hodges	Mathews	Stokes
Davis	Holliman	Mathison	Summerlin
deGraffenried	Huddleston	Molette	Taylor
Dement	Hunt	Money	Thomas
DeSear	Jenkins	Murphy	Tyson
Dickson	Johnson (Elmore)	Nettles	Vacca
Edwards (Escambia)	Johnson (Tallapoosa)	Nice	Windle
Edwards (Jefferson)	Kelly	Oakley	

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And the bill:

H. 119. To make an appropriation from the general fund in the state treasury for payment of the expenses incurred by the State in sponsoring the annual meeting of the Southern Governors' Conference, which is to be held at Point Clear October 17-20, 1955.

Was read a third time at length and passed, and ordered sent forthwith to the State without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Bradford	Brown (Lamar)	Davis
Adams	Brannan	Burkhalter	deGraffenried
Albea	Branyon	Callahan	Dement
Ashworth	Brassell	Cornett	Dickson
Bassett	Brewer	Cox	Edwards (Escambia)
Boyd	Broadfoot	Crook	Edwards (Jefferson)

Faulk	Hunt	McKay	Roberts
Ferrell	Jenkins	McLendon	Selman
Franklin	Johnson (Elmore)	McNider	Shumate
Gilchrist	Johnson (Tallapoosa)	Martin	Simon
Gist	Kaul	Mathews	Solomon
Gregory	Kelly	Mathison	Speaks
Grouby	Kendall	Molette	Steagall
Hain	Killough	Money	Stembridge
Haltom	Kirkham	Murphy	Stokes
Hanby	Lackey	Nettles	Summerlin
Hardy	Law	Nice	Taylor
Harrison	Lee (Barbour)	Oden	Thomas
Harvey	Lee (Lawrence)	Payne	Tyson
Hawkins	Locke (Choctaw)	Perry	Vacca
Hodges	Locke (Perry)	Pirkle	Ward
Holliman	Love	Pruitt	Windle
Huddleston	McClendon		

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CERTIFICATE OF CLERK

The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:05 P.M. On May 24, 1955.

H. 71.

H. 72.

H. 73.

H. 74.

H. 93.

H. 131.

H. 105.

H. 114.

R. T. GOODWYN, JR.
Clerk.

ADJOURNMENT

On motion of Mr. Johnson (Tallapoosa) the House adjourned until Friday, May 27, 1955, at eleven o'clock A.M.

EIGHTH DAY

House of Representatives
Montgomery, Alabama
Friday, May 27, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend E. L. Hardin, Pastor, Capitol Heights Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards (Jefferson)	Kelly	Oakley
Adams	Faulk	Kendall	Oden
Albea	Ferrell	Killough	Payne
Ashworth	Franklin	Kirkham	Perry
Bassett	Gilchrist	Lackey	Pirkle
Boyd	Gist	Law	Pruitt
Bradford	Goodwyn	Lee (Barbour)	Ramey
Branyon	Gregory	Lee (Lawrence)	Reynolds
Brassell	Grouby	Locke (Choctaw)	Richardson
Brewer	Hain	Locke (Perry)	Roberts
Broadfoot	Hall	Love	Selman
Brooks	Haltom	McClendon	Shumate
Brown (Lamar)	Hanby	McKay	Simon
Brown (Lee)	Hardy	McLendon	Solomon
Burkhalter	Hare	McNider	Speaks
Callahan	Harrison	Martin	Steagall
Cornett	Hawkins	Mathews	Stembridge
Cox	Hodges	Mathison	Summerlin
Crook	Holliman	Meeks	Taylor
Davis	Huddleston	Molette	Thomas
Dawkins	Hunt	Money	Tyson
deGraffenried	Jenkins	Murphy	Vacca
Dement	Johnson (Elmore)	Nettles	Ward
DeSear	Johnson (Tallapoosa)	Nice	Windle
Dickson	Kaul	Nolen	Wood
Edwards (Escambia)			

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the seventh legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Dawkins, the reading at length of the Journal of the House for the seventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the seventh legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:

By Mr. Lamberth:

S.J.R. 11. BE IT RESOLVED by the Senate, the House concurring, that when the two Houses adjourn today they adjourn to meet again on Tuesday, May 31st, 1955.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Dawkins the rules were suspended and the House concurred in and adopted the S.J.R. 11 set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 79. To amend Section 204 of Title 26, 1940 Code of Alabama, as amended, the same pertaining to experience rating under the Unemployment Compensation Law.

Also:

H. 80. To amend Section 185 of Title 26, 1940 Code of Alabama, as amended, the same pertaining to the definition of "employer" under the Unemployment Compensation Law.

Also:

H. 81. To amend Section 224, Title 26, 1940 Code of Alabama, as amended, the same pertaining to the period and termination of employer's coverage under the Unemployment Compensation Law.

Also:

H. 82. To amend Section 225, Title 26, 1940 Code of Alabama, as amended, the same pertaining to employer's election under the Unemployment Compensation Law.

Also:

H. 39. To appropriate out of any funds in the State Treasury not otherwise appropriated, the sum of \$375,000.00 to the Armory Commission of Alabama for the fiscal year ending September 30, 1955, to be used for providing additional armory facilities required by the Alabama National Guard and the Air National Guard units and headquarters and to be allotted and expended only when matching funds are made available by the United States Government for such purposes.

Also:

H. 50. To amend Section 2 of Article 1 of Chapter 2 of Title 62 of the Code of Alabama of 1940 withdrawing Lawrence County, Alabama from the application of said article 1.

Also:

H. 157. Relating to Lawrence County; to authorize the Board of Revenue to compensate certain employees of the county who were injured while engaged in the performance of their duties as such county employees.

Also:

H. 165. Relating to Talladega County; to authorize the county governing body to appropriate county funds, within prescribed limits, for the payments of certain obligations of the county.

Also:

H.J.R. 19. Relative to the appointment of the Fort Morgan Committee to go to Mobile to investigate the feasibility of obtaining from

the Naval Junk Yard the locomotive that was placed at Fort Morgan by the Southern Confederacy.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 30. Relating to state government administration; creating a State Banking Department, and defining its powers and duties; transferring to the department the administration of the laws relating to banks and banking, credit unions, savings and loan associations, and the small-loan business; transferring to the department the bureau of banking, the bureau of savings and loan, and the bureau of loans of the department of commerce, and the personnel, funds, equipment, and supplies of such bureaus; providing for a Superintendent of Banks and Savings and Loan Commissioner as head of the State Banking Department; prescribing his salary, qualifications, and duties; and abolishing the Department of Commerce and the office of Director of Commerce.

RANKIN FITE,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

H. 189 AND H. 190 RE-REFERRED

The motion of Mr. Grouby to re-refer the bills, H. 189 and H. 190, was adopted.

And the Speaker re-referred the bills, H. 189 and H. 190, to the Standing Committee on Ways and Means.

RESOLUTION

The following resolution was introduced:

By Messrs. Speaks, Simon, Huddleston and Harrison:

H.J.R. 21. (Caption: A JOINT RESOLUTION giving legislative approval to the admission of the States of Delaware and West Virginia into the Southern Regional Education Compact entered into by the State of Alabama and other Southern States; to declare that, upon ratification of the Compact by the Legislature and approval by the Governor of Delaware and/or West Virginia, and approval by the Legislature and by the governor of the other States party to the Compact, the States of Delaware and/or West Virginia become party to said Compact.

Preamble)

WHEREAS, by action of the Legislature and approval of the Governor, the State of Alabama became party to the Southern Regional Education Compact with the States of Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia on July 12, 1949.

WHEREAS, the States of Delaware and West Virginia have indicated their interest in becoming party to the said Compact.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF ALABAMA
(Approval)

Section I. That the admission of the States of Delaware and West Virginia be approved and that the States of Delaware and/or West Virginia become party to the Compact upon approval of their respective Legislatures and their respective governors and upon approval of their admission by the other States party to the Compact.

(Engrossment)

Section II. That upon approval of this Resolution the Governor sign an engrossed copy of this Resolution for submission to the Southern Regional Education Board.

(Approval by Governor)

Section III. This Resolution shall take effect upon its approval by the Governor.

On motion of Mr. Speaks the rules were suspended and H.J.R. 21 was adopted.

MOTION IN WRITING

Mr. Johnson (Elmore) offered the following Motion in Writing:

Having voted with the prevailing side when House Bill 24 was up for passage on the last legislative day, I move that the vote by which said bill passed be now reconsidered.

And the motion was adopted.

And on motion of Mr. Johnson of Elmore further consideration of the bill, H. 24, was postponed until the next Legislative day.

RESOLUTION

The following resolution was introduced:

By Mr. Dement:

H. J. R. 22. BE IT RESOLVED by the House of Representatives, the Senate concurring that

WHEREAS this body realizes that most county financial problems are attributable to poor property tax administration causing local governments to operate on limited income and render inadequate service, and causing said local governments to exploit privilege licenses which are unfair to low income families and many businesses, and further causing the State to assume the financial responsibility of many local governmental functions; and

WHEREAS our State Government is exerting a tremendous effort to provide the necessary revenue for school purposes, and

WHEREAS the effort exerted at the local level can be greatly improved by better administration and supervision of the general property tax both for the benefit of the various counties and for local schools; now therefore

BE IT RESOLVED by the Legislature of Alabama that it go on record as calling upon the State Department of Revenue and the local assessing authorities that a program be begun immediately for the express purpose of equalizing the property taxes in all the counties in this State to the end that no taxpayer shall pay more than his just share of the property tax but that all taxpayers shall pay in exact ratio to the value of their property.

BE IT FURTHER RESOLVED that the Legislature of Alabama go on record as favoring adequate appropriations for the purpose of equalizing the property tax in this State and to facilitate this program by passing new laws or amending our statutes in whatever way may be necessary during this session of the Legislature.

The motion of Mr. Dement to suspend the rules in order to bring up for immediate consideration the above and foregoing H.J.R. 22 was lost.

And said resolution H.J.R. 22 was referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment: By Mr. Robison:

S. 100. An Act for the relief of Mary Jackson Brown, by the payment to her of compensation for the death of her former husband James Eugene Jackson, while he was in the employ and while in the line of and performing his duty as an employee for the City of Montgomery, Montgomery County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MONTGOMERY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

An Act for the relief of Mary Jackson Brown, by the payment to her of compensation for the death of her former husband, James Eugene Jackson, while he was in the employ and while in the line of and performing his duty as an employee for the City of Montgomery, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

1. The City Commission and the City of Montgomery, Montgomery, Alabama, a municipal corporation, is hereby authorized, required and

directed to draw or cause to be drawn a warrant on the general fund of the City of Montgomery, Montgomery, Alabama, in favor of Mary Jackson Brown in the sum of \$1,308.00, as compensation to her in the death of her former husband, James Eugene Jackson, which occurred January 12, 1951, and while the said James Eugene Jackson was working as an employee in the line of and performing his duties as an employee of the City of Montgomery, State of Alabama, and under such circumstances that the said Mary Jackson Brown has no recourse at law to recover damages or compensation for the death of James Eugene Jackson. That the Comptroller of the City of Montgomery, Montgomery, Alabama, is authorized, requested and directed to pay said warrant out of the general funds of the City Treasury of the City of Montgomery, a municipal corporation, Montgomery, Alabama.

2. This Act shall take effect immediately upon its passage and approval by the Governor or its otherwise becoming a law.
Montgomery Examiner

Apr. 22, 29, May 6, 13, 1955.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MONTGOMERY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles G. Dobbins, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Montgomery Examiner, a newspaper of general circulation published in Montgomery County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Apr. 22, Apr. 29, May 6, and May 13, all in the year 1955.

CHARLES G. DOBBIN

Sworn to and subscribed before me May 17th, 1955.

LUCILLE RAFFELS,
Notary Public.

Also:

By Mr. Robison:

S. 101. An Act for the relief of Bernice Owen McKinney Edwards, by the payment to her of compensation for the death of her former husband, Curtis D. McKinney, while he was in the employ and while in the line of and performing his duty as an employee for the City of Montgomery, Montgomery County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MONTGOMERY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

An Act for the relief of Bernice Owen McKinney Edwards, by the payment to her of compensation for the death of her former husband,

Curtis D. McKinney, while he was in the employ and while in the line of and performing his duty as an employee for the City of Montgomery, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

1. The City Commission and the City of Montgomery, Montgomery, Alabama, a municipal corporation, is hereby authorized, required and directed to draw or cause to be drawn a warrant on the general fund of the City of Montgomery, Montgomery, Alabama, in favor of Bernice Owen McKinney Edwards in the sum of \$1,318.90, as compensation to her in the death of her former husband, Curtis D. McKinney, which occurred January 12, 1951, and while the said Curtis D. McKinney was working as an employee in the line of and performing his duties as an employee of the City of Montgomery, State of Alabama, and under such circumstances that the said Bernice Owen McKinney Edwards had no recourse at law to recover damages or compensation for the death of Curtis D. McKinney. That the Comptroller of the City of Montgomery, Montgomery, Alabama, is authorized, requested and directed to pay said warrant out of the general funds of the City Treasury of the City of Montgomery, a municipal corporation, Montgomery, Alabama.

2. This Act shall take effect immediately upon its passage and approval by the Governor or its otherwise becoming a law.
Montgomery Examiner

Apr. 22, 29, May 6, 13, 1955.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MONTGOMERY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles G. Dobbins, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Montgomery Examiner, a newspaper of general circulation published in Montgomery County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Apr. 22, Apr. 29, May 6, and May 13, all in the year 1955.

CHARLES G. DOBBIN

Sworn to and subscribed before me May 17th, 1955.

LUCILLE RAFFELS,
Notary Public.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 100. Local Legislation No. 1.

S. 101. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

HJR 20. Relative to requesting all state agencies to provide for and maintain a fair competitive position for Alabama forest products.

J. E. SPEIGHT,
Secretary.

BILLS ON SECOND READING

Mr. Brassell, Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 196. To amend Section 332 of Title 17, Code of Alabama (1940), which prescribes penalties for certain violations of the election laws.

H. 197. To amend Section 320 of Title 17, Code of Alabama (1940), which prescribes penalties for certain violations of the election laws.

H. 199. To amend Section 318 of Title 17, Code of Alabama (1940), which prescribes penalties for certain violations of the election laws.

H. 200. To amend Section 317 of Title 17, Code of Alabama (1940), which prescribes penalties for certain violations of the election laws.

H. 201. To amend Section 316 of Title 17, Code of Alabama (1940), which prescribes penalties for certain violations of the election laws.

H. 202. To amend Section 305 of Title 17, Code of Alabama (1940), which prescribes penalties for certain violations of the election laws.

H. 203. To amend Section 304 of Title 17, Code of Alabama (1940), which prescribes penalties for certain violations of the election laws.

H. 259. To authorize the execution of any bonds, notes, or other obligations for the payment of money by any city or town of this State, with an engraved, imprinted, stamped or otherwise reproduced facsimile of any signature, seal or other means of authentication, certification or endorsement required or permitted to be recorded thereon.

H. 174. Relating to actions and parties; providing for the joinder of all or any number of employees of the same employer as plaintiffs in an action against the employer involving a dispute over the payment of wages.

H. 173. To amend Section 343 and Section 348 of Title 15, Code of Alabama (1940), which relate to the execution of convicts who have been sentenced to death.

H. 147. To validate and declare legal the creation and establishment of housing authorities, all bonds, notes, contracts, agreements, obligations and undertakings of said housing authorities, and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto, and to declare said housing authorities bodies corporate and politic.

H. 146. To amend Sec. 1. of Act 614, General Assembly Acts of 1939, approved July 10, 1940 (Chapter 7, Title 25, Code of Alabama (1940)).

H. 145. To further provide for the public interest by granting to Housing Authorities and Municipalities certain additional power and authority and to undertake additional activities for the elimination and for the prevention of the development or spread of slums and blight, including functions with respect to rehabilitation and conservation for the restoration and removal of blighted, deteriorated, or deteriorating areas; to provide that all the rights, powers, privileges, and immunities of public or private bodies or agencies applicable with respect to redevelopment projects shall be applicable with respect to such additional activities; to authorize the governing body of the municipality or such public officer or public body as it may designate, to prepare a workable program for utilizing appropriate private and public resources to eliminate and prevent the development or spread of slums and urban blight in the community; and to authorize housing authorities to acquire and dispose of undeveloped vacant land where certain conditions of blight exist or where such action is essential to the clearance, redevelopment, rehabilitation or conservation of slum or blighted areas or to a general slum clearance or urban renewal program of the community.

Mr. Brassell, Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 115 (with substitute). Relating to jurors and juries; providing that at least eighteen persons must be sworn on the grand jury, and that one of them must be appointed as foreman by the court, and that if the foreman is discharged or excused for any cause after the jury is sworn or charged, the court may appoint another in his place.

Mr. Dawkins, Vice-Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 93. To make an additional appropriation to the Department of Finance, Division of Service, for the payment of salaries, repairs and alterations, additions and betterments, and equipment purchases for State buildings for the fiscal year ending September 30, 1955.

S. 65. To provide for civil defense upon the occurrence of disasters or emergencies: Creating and establishing within the executive branch of the State Government a department of Civil Defense and authorizing the creation of local organizations for civil defense in the political subdivisions of the State; conferring upon the Governor and upon governing bodies of political subdivisions emergency powers with respect to civil defense; providing for the rendering of mutual aid among political subdivisions, and with other States, and with the Federal Government; ratifying and confirming all mutual interstate aid agreements and pacts heretofore entered into between the State of Alabama and other States of the United States; authorizing the establishment of such organizations and the taking of such steps as are necessary and appropriate to carry out the provisions of this Act; imposing penalties for violations of the Act or any rule, order or regulation made pursuant to the Act; and making an appropriation.

Mr. Summerlin, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 15. To amend further Sections 404 and 405 of Title 52, Code of Alabama 1940 as amended which relate to the Committee on Courses of Study.

H. 64. To amend Section 148 of Title 52 of the Code of Alabama of 1940 and to define the word "City" as used therein.

Mr. Kelly, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 17 (with amendment). To create a State Department of Pensions and Social Services, a State Board of Pensions and Social Services, county departments of pensions and social services, and county boards of pensions and social services; to create the chief executive officer who shall be known as the Commissioner of the State Department of Pensions and Social Services who shall exercise all the rights, powers, authority, and duties thereof; to define the powers and duties of the State Department, of the State Board, of the county departments, and of the county boards; to transfer and confer upon the Department of Pensions and Social Services all the powers and duties now or hereafter vested in the Department of Public Welfare; to provide that "old age assistance" shall be known as old age pensions; and to provide that the Department of Pensions and Social Services be substituted for Department of Public Welfare in any litigation pending to which the Department of Public Welfare is a party.

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 71. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Montgomery County.

The above bill was read a second time at length as required by the Constitution.

H. 242. To alter or rearrange the boundary lines of the City of Oneonta, Alabama, so as to include therein and within the Corporate Limits of said City territory not already included therein.

H. 250. To alter or re-arrange the boundary lines of the Town of Collinsville, DeKalb County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory in DeKalb County, Alabama.

H. 262. Relating to the government of Lawrence County; abolishing the Board of Revenue of Lawrence County created by Act No. 18, S. 2, approved May 18, 1951, and establishing in lieu thereof the Court of County Commissioners; providing for the organization, powers, jurisdiction, and duties of the Court of County Commissioners, and for the qualifications, manner of election, and compensation of its members; and regulating the county purchasing procedures.

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 279 (with amendment). To amend Section 2 of an act entitled an act "To change the method of compensating the Register of the Circuit Court of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him." Local Acts of Alabama, 1947, page 323.

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 280. To authorize and provide for the payment out of the general funds of Talladega County, Alabama, not otherwise appropriated the sum of One Thousand, fourteen and no/100 (\$1,014.00) Dollars for the relief of Manly R. Joiner for the purpose of compensating him for money advanced by him to employ needed clerical assistance in the office of the Register of the Circuit Court of Talladega County, Alabama during the years 1954 and 1955, for which advances he has not been repaid.

H. 282. To apply in all counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census; prescribing the time for opening and closing the polls in such counties and the municipalities therein.

Mr. Meeks, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 257. To amend Act No. 57, H. 59, approved April 8, 1955, entitled, "An Act relating to judicial procedure, and to provide for and regulate the selecting and impaneling of juries and alternate jurors in all criminal and quasi-criminal cases in the circuit courts in counties having a population of 400,000 or more according to the last or any future federal census; and to provide for the repeal of sections 221 to 227, both inclusive, of Title 62, Code of 1940, and of all Acts amendatory of said sections."

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Killough and Taylor:

H. 292. Proposing an amendment to the Constitution relating to the issuance of bonds or other securities.

Judiciary

The above bill was read a first time at length as required by the Constitution.

By Messrs. Speaks, Simon, Huddleston and Gist:

H. 293. To make appropriations to support the Southern Regional Council's program on mental health training and research.

Ways and Means

By Mr. Davis:

H. 294. TO AMEND: Section 713 of Article 5 of Chapter 14 of Title 7 of the Code of Alabama of 1940.

Judiciary

By Messrs. Martin and Ramey:

H. 295. TO AMEND SECTIONS 42(b), 42(c), 44 and 45 AND TO ADD SECTION 44(1), TITLE 36, CODE OF ALABAMA 1940, AS AMENDED, RELATING TO LIGHTING EQUIPMENT ON MOTOR VEHICLES.

Transportation

By Messrs. Richardson, Martin and Ramey:

H. 296. Relating to the public schools: To establish a modern placement system whereby pupils may be so assigned to the various public schools of the state as to promote the full development and utilization of the individual talents of the pupils, and to implement this system by providing for each school attendance district a board of placement, members of which shall be judicial officers of the State authorized to make determinations respecting the rights of school pupils in that district; providing for the appointment, term of office, and compensation of members of such boards, authorizing appeals from decisions of such boards, and directing city and county superintendents of education and city and county boards of education to furnish certain assistance to the boards of placement.

Education

By Messrs. Perry, Lackey, Vacca and Edwards (Jefferson):

H. 297. To repeal Act No. 569, H. 1023, entitled, "An Act to amend Chapter 9, Title 15 of the Code of Alabama of 1940 relating to bail, as amended by Act No. 199, July 8, 1949, by defining the power and authority and jurisdiction of the court in proceedings on forfeitures of undertakings, or bail bonds, by the failure of the defendant to appear as required, in all counties in this State having a population of seventy-two thousand (72,000) inhabitants, or more, according to the last or any subsequent federal census; and to authorize the courts in such counties to remit, in whole or in part, the penalty of such bail bonds as the ends of justice may, unto the court, appear to require," (Acts of the 1949 Regular Session, p. 896).

Judiciary

By Mr. Goodwyn:

H. 298. To further amend Section 2, Title 51, Code of Alabama 1940, as amended pertaining to exemptions of persons and property.

Ways and Means

By Mr. Goodwyn:

H. 299. To designate the Chief Attorney of the Department of Conservation as Chief Legal Counsel for said Department; to designate the Assistant Attorneys as Assistant Legal Counsel; to provide that such Counsel shall be commissioned Assistant Attorneys General and to provide for the duties and compensation of the Legal Personnel of said Department.

Conservation

By Messrs. Dawkins, Hall and Goodwyn:

H. 300. Relating to the education of exceptional children; providing that county and city boards of education may provide education for exceptional children; authorizing the State Board of Education on the recommendation of the State Superintendent of Education to establish rules and regulations relating to allocation of state funds, certification of teachers, size of classes, eligibility of pupils to receive instruction, training and experience required for professional personnel other than teachers, and other regulations which are necessary to the

effective operation of an educational program for exceptional children; authorizing the employment of qualified supervisory personnel in the State Department of Education; authorizing the expenditure of Minimum Program funds and local school funds for the education of exceptional children beginning with the age of three years; repealing all laws and parts of laws in conflict with this Act.

Ways and Means

By Messrs. Brassell, Summerlin and Wood:

H. 301. To provide for the reclamation, restoration, operation and maintenance of Fort Morgan, in Baldwin County, Alabama, and certain other forts and buildings adjacent thereto; creating the Fort Morgan Historical Commission for the purpose of reclaiming, restoring, operating and maintaining Fort Morgan and certain other forts and buildings adjacent thereto; prescribing the powers, authority and jurisdiction of the commission, and providing for the appointment, compensation, powers, duties and authority of the members of the commission; providing for the appointment of a secretary or historian and other employees by the commission; giving the commission and the members thereof full police power to prefer charges against, and to make arrests of, any person violating any rule or regulation of the commission governing the operation and maintenance of Fort Morgan and the other forts and buildings under the authority and jurisdiction of the commission; giving the commission the authority to designate any employees of the commission as deputy police officers, with full police power to prefer charges against, or to make arrests of, any person violating any rule or regulation governing the operation and maintenance of Fort Morgan and other forts and buildings under the authority and jurisdiction of the commission; prescribing a penalty for violation of the rules and regulations promulgated and adopted by the commission; and transferring the right to all papers, books, records, stationery, supplies and equipment used in the control, maintenance and operation of Fort Morgan by the Division of State Parks, Monuments, and Historical Sites to the Fort Morgan Historical Commission.

Conservation

By Messrs. McKay, Brassell, Solomon, Stembridge, Lee (Lawrence), Lackey, Ashworth, Gist, Nice, Vacca and Payne:

H. 302. Defining blind persons, blind-made products and services; prohibiting the sale, distribution, or exhibition of any products or services which are purported to be blind-made other than as herein defined; and providing a penalty.

State Administration

By Messrs. McKay, Brassell, Solomon, Stembridge, Lee (Lawrence), Lackey, Ashworth, Gist, Vacca and Payne:

H. 303. To authorize and provide for the operation of stands in buildings and on properties of the State of Alabama, its agencies, institutions, and political sub-divisions by blind persons, for the purpose of providing blind persons with remunerative employment, enlarging the economic opportunities of the blind, and stimulating the blind to greater efforts in striving to make themselves self supporting.

State Administration

By Messrs. McKay, Brassell, Solomon, Stembridge, Lee (Lawrence), Nice, Vacca and Payne:

H. 304. Relating to the blind and visually handicapped; authorizing the Adult Blind Department of the Alabama Institute for Deaf and Blind to maintain, develop and supervise work shops and home industries for blind and visually handicapped persons, and to act as sales agent for the products made by blind and visually handicapped persons and for services of such persons; requiring state departments, agencies and institutions to purchase articles produced by the blind and services rendered by the blind under the supervision of the Adult Blind Department of the Alabama Institute for Deaf and Blind; prescribing the procedure for the requisitioning, purchasing and supply of such articles and services and authorizing political subdivisions of the State to purchase blind-made articles and to procure the services of the blind and visually handicapped in the same manner that state departments, agents and institutions procure them.

State Administration

By Messrs. Adams and Vacca:

H. 305. To propose an amendment to the Constitution relative to the method of adopting amendments to the Constitution.

Constitution and Elections

The above bill was read a first time at length as required by the Constitution.

By Messrs. Adams and Vacca:

H. 306. To propose and provide for an amendment to the Constitution of Alabama of 1901 providing that obligations hereafter incurred and securities hereafter issued by a municipality having a population of less than 6,000 inhabitants for the purpose of acquiring, providing or constructing sanitary or storm water sewers, street or sidewalk improvements, or school houses, shall not under certain circumstances be deemed to constitute an indebtedness of such municipality within the meaning of Section 225 of said constitution.

Constitution and Elections

The above bill was read a first time at length as required by the Constitution.

By Messrs. Adams and Vacca:

H. 307. To exempt gasoline sold to cities and towns for use in fire trucks, police vehicles, and any and all other municipally-owned motor vehicles from the gasoline excise tax levied in Section 647 of Title 51, Code of Alabama (1940), as amended.

Ways and Means

By Messrs. Adams and Vacca:

H. 308. To further amend Section 655 of Title 51 of the Alabama Code of 1940, as heretofore amended, so as to make further provisions respecting the distribution of said tax.

Ways and Means

By Messrs. Adams and Vacca:

H. 309. To further provide for the general revenue of the State of Alabama and its cities, towns and counties, and to fix the license and registration fee on certain motor vehicles.

Ways and Means

By Messrs. Adams and Vacca:

H. 310. To provide for the extension of municipal boundaries by the annexation of territory by municipalities.

Local Government

By Messrs. Adams and Vacca:

H. 311. To amend further Section 397 of Title 37 of the Code of 1940 relating to Board of directors.

Local Government

By Messrs. Adams and Vacca:

H. 312. To amend further Section 402(17) of Title 37 of the Code of 1940 relating to Board of directors.

Local Government

By Messrs. Adams and Vacca:

H. 313. To authorize any and every city to purchase or acquire by gift, bequest, devise, grant or condemnation, real property or any interest therein for public off-street parking use or uses; to clear and improve any property so acquired or any other property owned by such city and construct thereon structures and equipment suitable for off-street parking facilities; to maintain and operate for parking by the public, or vehicles, any property so acquired or constructed or otherwise owned by such city; to contract with any corporation, firm, individual, or association, private or public, for the operation as a public parking facility of any property so acquired or constructed or any other property owned by such city; to lease to any corporation, firm, individual or association, private or public, for the operation thereof as a public parking facility, any property so acquired or constructed or any other property owned by such city; to sell, exchange, transfer, assign or lease, any property so acquired or constructed or used as a public parking facility when no longer required for a public parking facility; to establish and revise from time to time schedule of rates to be charged for the use of such public parking facilities; to establish, extend, revise and rescind regulations in regard to the use of such public parking facilities; to contract for the construction, reconstruction, alteration, repair and maintenance of such public parking facilities; to provide funds for the acquisition, creation and operation of public Off-Street Parking Facilities by the issuance and sale of Public Off-Street Parking Facilities Revenue Bonds which shall be secured only by the revenues derived from and in connection with such facilities; to provide that such bonds shall not constitute an indebtedness of such city within the meaning of any constitutional provision or limitation or at all; to provide the method and manner by which such bonds shall be issued by such city; to provide that such bonds shall be exempt from taxation by the State of Alabama and by the municipalities and political subdivision thereof; to provide the maximum interest rate at which such bonds may be issued; to provide that such bonds shall be negotiable instruments; to provide for the fixing and revising from time to time of fees, rentals and charges for the use of such public off-street parking facilities; to authorize any and every such city to accept state and federal aid in connection with the provision of public off-street parking facilities; and to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law.

Local Government

By Messrs. Adams and Vacca:

H. 314. To authorize municipalities in this state to acquire properties suitable for use as post offices, to lease such properties to the United States Government subject to certain requirements, to finance the acquisition of such properties by the issuance of negotiable revenue

bonds payable solely out of the rental of such properties and to secure the bonds by pledges of such rentals and by mortgages on such properties, and to make or accept contributions toward the cost of such properties; to authorize the refunding of bonds issued hereunder; to provide remedies in the event of default respecting bonds issued hereunder, to exempt from taxation the properties acquired under authority of this act and the rentals thereof, the bonds and income therefrom, mortgages executed as security therefor and lease agreements hereunder; to provide that bonds and agreements made in connection therewith shall not constitute an indebtedness of the municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for savings banks and insurance companies organized under Alabama laws; to prescribe the purposes for which the proceeds from the sale of such bonds may be used; and to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

Local Government

By Messrs. Adams and Vacca:

H. 315. To amend Sections 308, 309, 310, 312 as heretofore amended, 313, 314, 315, 325 as heretofore amended, 327, 329, and 340 of Title 37 of the Code of Alabama of 1940, all of said Sections being in Subdivision 3 of Article 2 of Chapter 6 of said Title 37, so as to confer on each county and municipality in the state the same powers with respect to the acquisition and financing of electric systems that are conferred by said subdivision with respect to water, sanitary sewer, and gas systems; so as to authorize each county or municipality to consolidate any two or more of its systems, including water, sanitary sewer, gas and electric systems; so as to authorize each county and municipality to issue its revenue bonds (a) for financing the acquisition, improvement, enlargement, extension and repair of any one or more of its water, sanitary sewer, gas, and electric systems, or any one such consolidated system or systems; (b) for refunding any bonds heretofore or hereafter issued under said subdivision, or (c) for the combined purpose of such financing and such refunding; so as to authorize such county and municipality to make its revenue bonds hereafter issued under said subdivision payable solely out of the revenues from any one or more of its said systems, regardless of the system or systems for the benefit of which such revenue bonds may be issued and regardless of whether or not any of said systems may have been consolidated; so as to make additional provisions with respect to bonds hereafter issued under said subdivision and statutory mortgage liens hereafter created thereunder; so as to revise the provisions of said subdivision respecting the custody and disposition of the revenues from systems hereafter made subject to such liens; so as to provide that the due recording of a notice of such lien shall operate as constructive notice thereof; so as to revise the provisions of said subdivision respecting publication of notice of the authorization of bonds thereunder; and to repeal Sections 331, 332 and 333 of said Title 37.

Local Government

By Messrs. Adams and Vacca:

H. 316. To authorize the municipalities of the state to charge a higher rate for water, gas, and electricity, the use of sewerage, and for services, rendered beyond the corporate limits.

Local Government

By Messrs. Adams and Vacca:

H. 317. To grant immunity from tort liability to municipal fire

departments in acts performed beyond the corporate limits and police jurisdiction of cities and towns.

Local Government

By Messrs. Adams and Vacca:

H. 318. To amend Section 26 of Title 29 of the Code of 1940 relating to filing of applications for licenses.

Local Government

By Messrs. Adams and Vacca:

H. 319. To further amend Section 744 of Title 37, Alabama Code of 1940 relating to the maximum amount of privilege or license tax which the municipalities within the State may annually assess and collect of telephone companies.

Local Government

By Messrs. Adams and Vacca:

H. 320. To amend further Section 429 of Title 51, Code of Alabama (1940), which relates to the tax on financial institutions.

Local Government

By Messrs. Adams and Vacca:

H. 321. To amend Section 129 of Title 2 of the Code of 1940 relating to permit fee.

Local Government

By Messrs. Adams and Vacca:

H. 322. To amend Section 504 of Title 37 of the Code of 1940 relating to statements, claims, or demands for injury filed:

Local Government

By Messrs. Adams and Vacca:

H. 323. To amend further Section 462 of Title 37 of the Code of 1940 relating to publication and recording of ordinances.

Local Government

By Messrs. Adams and Vacca:

H. 324. To amend Section 97 of Title 37 of the Code of 1940 relating to government of cities; recorder, election, salary.

Local Government

By Messrs. Adams and Vacca:

H. 325. To amend Section 404 of Title 37 of the Code of 1940 relating to election of mayor and aldermen; legislative functions.

Local Government

By Messrs. Adams and Vacca:

H. 326. To amend further Section 440 of Title 37 of the Code of 1940 relating to municipal operations.

Local Government

By Messrs. Adams and Vacca:

H. 327. To amend further Section 483 of Title 37 of the Code of 1940 relating to census taken in cities or towns.

Local Government

By Messrs. Adams and Vacca:

H. 328. Relating to insurance; amending further Section 317 of Title 28, Code of Alabama (1940), which established the State Insurance Fund.

Local Government

By Messrs. Adams and Vacca:

H. 329. To authorize and make provision for the incorporation in any municipality in this state of one or more public corporations for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, and operating buildings for use by the municipality in which any such corporation shall be organized in the performance of the municipal functions of such municipality; to provide for the election of the directors and officers of each such corporation; to specify its powers; to authorize it and the municipality in which it is organized to enter into leases covering properties of such corporation and to specify requirements respecting such leases; to declare the securing and supplying of reasonable and adequate building, office and storage facilities for the officers, courts, jails, departments, and agencies of the municipality performing municipal duties to be an essential governmental function of the municipality and the rentals payable by the municipality for such purpose to constitute a necessary governmental operating expense of the municipality; to prohibit the municipality in which any such project is located from leasing, or renewing any then existing lease with respect to, any office or storage space in any other buildings located in or about the municipality in which any such project is located while office or storage space is available in such project; to authorize the issuance by such corporation of interest bearing revenue bonds payable solely out of the revenues from the project with respect to which they are issued; to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge of such revenues, lease and rentals by mortgage on the project from which the revenues so pledged shall be derived; to specify the use to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from taxation the properties of said corporation and the income from the leases made with respect thereto, said bonds and the income therefrom, and said leases and mortgages; to authorize investment of idle and surplus funds of the municipality in said bonds; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge and mortgage and the proceedings authorizing the same; to authorize the transfer to said corporation, with or without consideration, of properties owned by the municipality whether or not they are necessary for the conduct of governmental or other public functions of the municipality; to provide for the vesting in the municipality of title to each project of said corporation as and when bonds which are payable, in whole or in part, from the revenues derived from such project shall have been paid in full; and to provide for the dissolution of said corporation.

Local Government

By Messrs. Adams and Vacca:

H. 330. To confer on each city in this state having a population of 6,000 or more inhabitants according to the last preceding or any subsequent federal census, or any official census taken pursuant to Article 3 of Chapter 10 of Title 37 of the Code of Alabama of 1940, the same powers for the construction of, and the issuance of securities to finance, street and sidewalk improvements and sewer improvements outside of the corporate limits of such city and within its police jurisdiction as it may have under any law now existing or hereafter enacted respecting the construction of, and the issuance of securities to finance, any such

improvements within the corporate limits of such city; to confer on each such city the same powers to assess the cost of any such improvements, whether constructed within the city or outside the city and within its police jurisdiction, against the properties specially benefited by such improvements whether such properties are located in such city or outside such city and within its police jurisdiction, that it may have under any law now existing or hereafter enacted respecting the assessment against properties located in such city of the cost of such improvements constructed in such city; to confer on each such city the power to finance any such improvements, constructed outside the city and within its police jurisdiction, by the sale and issuance of bonds payable solely out of the proceeds from assessments against the properties specially benefited by such improvements; and to repeal Act No. 884 adopted at the 1953 Regular Session of the Legislature of Alabama.

Local Government

By Messrs. Adams and Vacca:

H. 331. To amend an Act approved July 6, 1945, entitled "An Act to provide for and regulate the conduct of elections in towns and cities other than those towns and cities which have a commission form of government" (Act No. 465, S. 29, General Acts of Alabama, 1945, p. 699).

Local Government

By Messrs. Selman and Shumate:

H. 332. To amend Section 502 of Title 37, Code of Alabama, 1940, which relates to the liability of municipalities for damages.

Local Government

By Messrs. Selman and Shumate:

H. 333. Authorizing and empowering the board of education of any county having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census, to provide secretarial or clerical assistance for the principal of any high school within the county.

Local Legislation No. 1

BILLS ON THIRD READING

H. 204 INDEFINITELY POSTPONED

On motion of Mr. Law, the bill, H. 204, was indefinitely postponed.

And the bill:

H. 205. To define, regulate and license barbers and barber colleges, and other like businesses in Escambia County, Alabama, State of Alabama; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Ashworth	Bradford	Brewer
Adams	Bassett	Branyon	Broadfoot
Albee	Boyd	Brassell	Brown (Lamar)

Callahan	Haltom	Locke (Choctaw)	Pirkle
Cornett	Hanby	Locke (Perry)	Ramey
Cox	Hardy	Love	Roberts
Crook	Hare	McClendon	Selman
Dawkins	Harrison	McKay	Shumate
deGraffenried	Hawkins	McLendon	Simon
Dement	Hodges	McNider	Solomon
DeSear	Holliman	Martin	Speaks
Dickson	Huddleston	Mathews	Steagall
Edwards (Escambia)	Hunt	Mathison	Stembridge
Edwards (Jefferson)	Jenkins	Molette	Summerlin
Ferrell	Johnson (Elmore)	Money	Taylor
Franklin	Johnson (Tallapoosa)	Murphy	Thomas
Gist	Killough	Nettles	Tyson
Goodwyn	Kirkham	Nice	Vacca
Gregory	Lackey	Nolen	Ward
Grouby	Law	Oakley	Windle
Hain	Lee (Barbour)	Oden	Wood
Hall	Lee (Lawrence)	Payne	

—87

And the bill:

H. 224. Relating to Limestone County: To amend Act No. 355, H. 757, approved August 17, 1953 (Acts of Alabama, 1953, p. 423) entitled "An Act To fix the compensation of the Sheriff of Limestone County and to provide for deputy sheriffs and the compensation thereof, to provide for the feeding of prisoners in Limestone County and regulating the operation of the office of the Sheriff of Limestone County, Alabama, and to repeal all laws in conflict herewith and to provide for the effective date of this act."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Killough	Oakley
Adams	Ferrell	Kirkham	Oden
Albea	Franklin	Lackey	Payne
Ashworth	Gist	Law	Pirkle
Bassett	Goodwyn	Lee (Barbour)	Ramey
Boyd	Gregory	Lee (Lawrence)	Roberts
Bradford	Grouby	Locke (Choctaw)	Selman
Branyon	Hain	Locke (Perry)	Shumate
Brassell	Hall	Love	Simon
Brewer	Haltom	McClendon	Solomon
Broadfoot	Hanby	McKay	Speaks
Brown (Lamar)	Hardy	McLendon	Steagall
Callahan	Hare	McNider	Stembridge
Cornett	Harrison	Martin	Summerlin
Cox	Hawkins	Mathews	Taylor
Crook	Hodges	Mathison	Thomas
Dawkins	Holliman	Molette	Tyson
deGraffenried	Huddleston	Money	Vacca
Dement	Hunt	Murphy	Ward
DeSear	Jenkins	Nettles	Windle
Dickson	Johnson (Elmore)	Nice	Wood
Edwards (Escambia)	Johnson (Tallapoosa)	Nolen	

—87

And the bill:

H. 225. Relating to Limestone County: To amend further Act No. 95, H. 395, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 67), entitled "An Act To change the method of compensating the Tax Assessor of Limestone County, placing such officer on a salary, and providing for the administration of his office on a salary basis."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Edwards ^(Jefferson)	Killough	Oakley
Adams	Ferrell	Kirkham	Oden
Albea	Franklin	Lackey	Payne
Ashworth	Gist	Law	Pirkle
Bassett	Goodwyn	Lee ^(Barbour)	Ramey
Boyd	Gregory	Lee ^(Lawrence)	Roberts
Bradford	Grouby	Locke ^(Choctaw)	Selman
Branyon	Hain	Locke ^(Perry)	Shumate
Brassell	Hall	Love	Simon
Brewer	Haltom	McClendon	Solomon
Broadfoot	Hanby	McKay	Speaks
Brown ^(Lamar)	Hardy	McLendon	Steagall
Callahan	Hare	McNider	Stembridge
Cornett	Harrison	Martin	Summerlin
Cox	Hawkins	Mathews	Taylor
Crook	Hodges	Mathison	Thomas
Dawkins	Holliman	Molette	Tyson
deGraffenried	Huddleston	Money	Vacca
Dement	Hunt	Murphy	Ward
DeSear	Jenkins	Nettles	Windle
Dickson	Johnson ^(Elmore)	Nice	Wood
Edwards ^(Escambia)	Johnson ^(Tallapoosa)	Nolen	

—87

And the bill:

H. 226. Relating to Limestone County: To amend Act No. 201, H. 605, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 120), entitled "An Act To change the method of compensating the Judge of Probate of Limestone County, placing such officer on a salary, and providing clerks for his office."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Broadfoot	Dickson	Hall
Adams	Brown ^(Lamar)	Edwards ^(Escambia)	Haltom
Albea	Callahan	Edwards ^(Jefferson)	Hanby
Ashworth	Cornett	Ferrell	Hardy
Bassett	Cox	Franklin	Hare
Boyd	Crook	Gist	Harrison
Bradford	Dawkins	Goodwyn	Hawkins
Branyon	deGraffenried	Gregory	Hodges
Brassell	Dement	Grouby	Holliman
Brewer	DeSear	Hain	Huddleston

Hunt	Love	Nice	Speaks
Jenkins	McClendon	Nolen	Steagall
Johnson (Elmore)	McKay	Oakley	Stembridge
Johnson (Tallapoosa)	McLendon	Oden	Summerlin
Killough	McNider	Payne	Taylor
Kirkham	Martin	Pirkle	Thomas
Lackey	Mathews	Ramey	Tyson
Law	Mathison	Roberts	Vacca
Lee (Barbour)	Molette	Selman	Ward
Lee (Lawrence)	Money	Shumate	Windle
Locke (Choctaw)	Murphy	Simon	Wood
Locke (Perry)	Nettles	Solomon	

—87

And the bill:

H. 227. Relating to Limestone County: To amend further Act No. 120, S. 210, approved July 17, 1947 (Local Acts of Alabama, 1947, p. 78), entitled "An Act To change the method of compensating the Tax Collector of Limestone County, placing such officer on a salary basis, and providing for the administration of his office on that basis."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Killough	Oakley
Adams	Ferrell	Kirkham	Oden
Albea	Franklin	Lackey	Payne
Ashworth	Gist	Law	Perry
Bassett	Goodwyn	Lee (Barbour)	Pirkle
Boyd	Gregory	Lee (Lawrence)	Ramey
Bradford	Grouby	Locke (Choctaw)	Roberts
Branyon	Hain	Locke (Perry)	Selman
Brassell	Hall	Love	Shumate
Brewer	Haltom	McClendon	Simon
Broadfoot	Hanby	McKay	Solomon
Brown (Lamar)	Hardy	McLendon	Speaks
Callahan	Hare	McNider	Steagall
Cornett	Harrison	Martin	Stembridge
Cox	Hawkins	Mathews	Summerlin
Crook	Hodges	Mathison	Taylor
Dawkins	Holliman	Molette	Thomas
deGraffenried	Huddleston	Money	Tyson
Dement	Hunt	Murphy	Vacca
DeSear	Jenkins	Nettles	Ward
Dickson	Johnson (Elmore)	Nice	Windle
Edwards (Escambia)	Johnson (Tallapoosa)	Nolen	Wood

—88

And the bill:

H. 228. Relating to Limestone County: To amend further Act No. 200, H. 604, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 119), entitled "An Act To consolidate and combine the officers of Circuit Clerk, Register of the Circuit Court, Clerk of the Limestone County Court, and Register of the Limestone County Court of Limestone County; and to provide for the election, term of office and compensation of a Circuit Clerk of Limestone County, and for an assistant clerk and his compensation."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Edwards ^(Jefferson)	Killough	Oakley
Adams	Ferrell	Kirkham	Oden
Albea	Franklin	Lackey	Payne
Ashworth	Gist	Law	Perry
Bassett	Goodwyn	Lee ^(Barbour)	Pirkle
Boyd	Gregory	Lee ^(Lawrence)	Ramey
Bradford	Grouby	Locke ^(Choctaw)	Roberts
Branyon	Hain	Locke ^(Perry)	Selman
Brassell	Hall	Love	Shumate
Brewer	Haltom	McClendon	Simon
Broadfoot	Hanby	McKay	Solomon
Brown ^(Lamar)	Hardy	McLendon	Speaks
Callahan	Hare	McNider	Steagall
Cornett	Harrison	Martin	Stembridge
Cox	Hawkins	Mathews	Summerlin
Crook	Hodges	Mathison	Taylor
Dawkins	Holliman	Molette	Thomas
deGraffenried	Huddleston	Money	Tyson
Dement	Hunt	Murphy	Vacca
DeSear	Jenkins	Nettles	Ward
Dickson	Johnson ^(Elmore)	Nice	Windle
Edwards ^(Escambia)	Johnson ^(Tallapoosa)	Nolen	Wood

—88

And the bill:

H. 229. To apply in all counties having a population of not less than 65,000 nor more than 75,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Cox	Grouby	Johnson ^(Elmore)
Adams	Crook	Hain	Johnson ^(Tallapoosa)
Albea	Dawkins	Hall	Killough
Ashworth	deGraffenried	Haltom	Kirkham
Bassett	Dement	Hanby	Lackey
Boyd	DeSear	Hardy	Law
Bradford	Dickson	Hare	Lee ^(Barbour)
Branyon	Edwards ^(Escambia)	Harrison	Lee ^(Lawrence)
Brassell	Edwards ^(Jefferson)	Hawkins	Locke ^(Choctaw)
Brewer	Ferrell	Hodges	Locke ^(Perry)
Broadfoot	Franklin	Holliman	Love
Brown ^(Lamar)	Gist	Huddleston	McClendon
Callahan	Goodwyn	Hunt	McKay
Cornett	Gregory	Jenkins	McLendon

McNider	Nice	Roberts	Summerlin
Martin	Nolen	Selman	Taylor
Mathews	Oakley	Shumate	Thomas
Mathison	Oden	Simon	Tyson
Molette	Payne	Solomon	Vacca
Money	Perry	Speaks	Ward
Murphy	Pirkle	Steagall	Windle
Nettles	Ramey	Stembridge	Wood

—88

And the bill:

H. 231. Relating to Mobile County: To create the Supervisory Committee of the Mobile County Personnel Board in lieu of the Citizens Supervisory Committee created by Act No. 470 of 1939, which is hereby abolished; prescribing the membership of the committee; requiring certain meetings thereof; and transferring to the Supervisory Committee of the Mobile County Personnel Board the powers, authority, duties and functions of the Citizens Supervisory Committee.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Killough	Oakley
Adams	Ferrell	Kirkham	Oden
Albea	Franklin	Lackey	Payne
Ashworth	Gist	Law	Perry
Bassett	Goodwyn	Lee (Barbour)	Pirkle
Boyd	Gregory	Lee (Lawrence)	Ramey
Bradford	Grouby	Locke (Choctaw)	Roberts
Branyon	Hain	Locke (Perry)	Selman
Brassell	Hall	Love	Shumate
Brewer	Haltom	McClendon	Simon
Broadfoot	Hanby	McKay	Solomon
Brown (Lamar)	Hardy	McLendon	Speaks
Callahan	Hare	McNider	Steagall
Cornett	Harrison	Martin	Stembridge
Cox	Hawkins	Mathews	Summerlin
Crook	Hodges	Mathison	Taylor
Dawkins	Holliman	Molette	Thomas
deGraffenried	Huddleston	Money	Tyson
Dement	Hunt	Murphy	Vacca
DeSear	Jenkins	Nettles	Ward
Dickson	Johnson (Elmore)	Nice	Windle
Edwards (Escambia)	Johnson (Tallapoosa)	Nolen	Wood

—88

And the bill:

H. 233. Relating to Pickens County; to amend Act No. 141, S. 329, approved June 28, 1949 which relates to the division of the county for the purpose of selecting members of the County Board of Education; prescribes the duties, rights, qualification and compensation of such members; and provides for their election.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Killough	Oakley
Adams	Ferrell	Kirkham	Oden
Albea	Franklin	Lackey	Payne
Ashworth	Gist	Law	Perry
Bassett	Goodwyn	Lee (Barbour)	Pirkle
Boyd	Gregory	Lee (Lawrence)	Ramey
Bradford	Grouby	Locke (Choctaw)	Roberts
Branyon	Hain	Locke (Perry)	Selman
Brassell	Hall	Love	Shumate
Brewer	Haltom	McClendon	Simon
Broadfoot	Hanby	McKay	Solomon
Brown (Lamar)	Hardy	McLendon	Speaks
Callahan	Hare	McNider	Steagall
Cornett	Harrison	Martin	Stembridge
Cox	Hawkins	Mathews	Summerlin
Crook	Hodges	Mathison	Taylor
Dawkins	Holliman	Molette	Thomas
deGraffenried	Huddleston	Money	Tyson
Dement	Hunt	Murphy	Vacca
DeSear	Jenkins	Nettles	Ward
Dickson	Johnson (Elmore)	Nice	Windle
Edwards (Escambia)	Johnson (Tallapoosa)	Nolen	Wood

—88

And the bill:

H. 237. Relating to Winston County; reorganizing the county government; abolishing the Highway Board of Winston County and the Court of County Commissioners of Winston County, and creating in lieu thereof the Board of Revenue of Winston County; prescribing the jurisdiction of the Board of Revenue and prescribing its powers and duties; providing for the selection of its members and employees; and prescribing their qualifications, terms, compensation, powers, and duties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	deGraffenried	Hare	Locke (Perry)
Adams	Dement	Harrison	Love
Albea	DeSear	Hawkins	McClendon
Ashworth	Dickson	Hodges	McKay
Bassett	Edwards (Escambia)	Holliman	McLendon
Boyd	Edwards (Jefferson)	Huddleston	McNider
Bradford	Ferrell	Hunt	Martin
Branyon	Franklin	Jenkins	Mathews
Brassell	Gist	Johnson (Elmore)	Mathison
Brewer	Goodwyn	Johnson (Tallapoosa)	Molette
Broadfoot	Gregory	Killough	Money
Brown (Lamar)	Grouby	Kirkham	Murphy
Callahan	Hain	Lackey	Nettles
Cornett	Hall	Law	Nice
Cox	Haltom	Lee (Barbour)	Nolen
Crook	Hanby	Lee (Lawrence)	Oakley
Dawkins	Hardy	Locke (Choctaw)	Oden

Payne
Perry
Pirkle
Ramey
Roberts

Selman
Shumate
Simon
Solomon
Speaks

Steagall
Stembridge
Summerlin
Taylor
Thomas

Tyson
Vacca
Ward
Windle
Wood

—88

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 9. Relative to appointment of a committee to study possibility of preserving Alabama's World War II Selective Service Records.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, Immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 24. To alter and re-arrange the boundary lines of the City of Demopolis, Marengo County, Alabama, so as to include within the corporate limits of said City the territory described in Section One of this Bill.

Also:

S. 36. Relating to Talladega County: To provide that any person who was registered as an elector of Talladega County prior to January 1, 1955, whose name appeared on the list of registered electors of said county on that date, who has not removed, died, or become disqualified, as provided by law, shall be conclusively presumed to be a qualified elector of said county.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING RESUMED

H. 113. To regulate further the payment of the compensation of clerks of courts of county commissioners, boards of revenue, or like county governing bodies.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Dickson	Kaul	Payne
Adams	Edwards (Escambia)	Killough	Perry
Albea	Faulk	Kirkham	Pirkle
Ashworth	Ferrell	Lackey	Ramey
Bassett	Franklin	Lee (Barbour)	Reynolds
Boyd	Gist	Lee (Lawrence)	Richardson
Bradford	Goodwyn	Locke (Choctaw)	Roberts
Branyon	Gregory	Love	Selman
Brassell	Grouby	McClendon	Shumate
Brewer	Hall	McKay	Simon
Broadfoot	Haltom	McLendon	Solomon
Brooks	Hanby	McNider	Speaks
Brown (Lamar)	Hardy	Martin	Steagall
Brown (Lee)	Hare	Mathews	Stembridge
Burkhalter	Harrison	Meeks	Summerlin
Callahan	Hodges	Molette	Taylor
Cornett	Holliman	Murphy	Thomas
Cox	Huddleston	Nettles	Tyson
Dawkins	Hunt	Nice	Vacca
deGraffenried	Jenkins	Nolen	Ward
Dement	Johnson (Elmore)	Oakley	Windle
DeSear	Johnson (Tallapoosa)	Oden	Wood

—88

And the bill:

H. 122 (with amendment). To amend Act No. 292, S. 292, approved July 9, 1945 (General Acts of Alabama, 1945, page 482) which provided for the examination, licensing and regulation of licensed practical nurses.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Ways and Means Committee Amendment H. B. 122:

Amend H. B. 122, Section 2 by striking therefrom the words "Alabama State Medical Association" and insert therefor the words "Medical Association of the State of Alabama."

And the amendment was adopted.

Yeas 89; Nays 3.

Yeas:

Mr. Speaker	Broadfoot	deGraffenried	Goodwyn
Adams	Brooks	Dement	Gregory
Albea	Brown (Lamar)	Dickson	Grouby
Ashworth	Burkhalter	Edwards (Escambia)	Hain
Bassett	Callahan	Edwards (Jefferson)	Hall
Boyd	Cornett	Faulk	Haltom
Bradford	Cox	Ferrell	Hanby
Branyon	Crook	Franklin	Hardy
Brassell	Davis	Gilchrist	Hare
Brewer	Dawkins	Gist	Harrison

Hodges	Locke (Perry)	Nettles	Solomon
Holliman	Love	Nice	Speaks
Huddleston	McClendon	Nolen	Steagall
Hunt	McKay	Oakley	Stembridge
Jenkins	McLendon	Payne	Summerlin
Johnson (Elmore)	McNider	Perry	Taylor
Johnson (Tallapoosa)	Martin	Pirkle	Thomas
Killough	Mathews	Ramey	Tyson
Kirkham	Meeks	Reynolds	Vacca
Lackey	Molette	Richardson	Ward
Lee (Barbour)	Money	Roberts	Windle
Lee (Lawrence)	Murphy	Simon	Wood
Locke (Choctaw)			

—89

Nays: Messrs. Oden, Selman and Shumate.

—3

And said bill, H. 122, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 4.

Yeas:

Mr. Speaker	DeSear	Johnson (Elmore)	Nolen
Adams	Dickson	Johnson (Tallapoosa)	Oakley
Albea	Edwards (Escambia)	Kaul	Payne
Ashworth	Edwards (Jefferson)	Killough	Perry
Bassett	Faulk	Kirkham	Pirkle
Boyd	Ferrell	Lackey	Ramey
Bradford	Franklin	Lee (Barbour)	Reynolds
Branyon	Gilchrist	Lee (Lawrence)	Richardson
Brassell	Gist	Locke (Choctaw)	Roberts
Brewer	Goodwyn	Locke (Perry)	Simon
Broadfoot	Gregory	Love	Solomon
Brooks	Hain	McClendon	Speaks
Brown (Lamar)	Hall	McKay	Steagall
Brown (Lee)	Halton	McLendon	Stembridge
Burkhalter	Hanby	McNider	Summerlin
Callahan	Hardy	Martin	Taylor
Cornett	Hare	Meeks	Thomas
Cox	Harrison	Molette	Tyson
Crook	Hodges	Money	Vacca
Davis	Holliman	Murphy	Ward
Dawkins	Huddleston	Nettles	Windle
deGraffenried	Hunt	Nice	Wood
Dement	Jenkins		

—90

Nays: Messrs. Grouby, Oden, Selman and Shumate.

—4

And the bill:

H. 123. To amend further Act No. 96, H. 102, approved June 15, 1945, (General Acts of Alabama, 1945, page 92) which relates to schools of nursing and the examination, regulation and registration of nurses.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Albea	Bassett	Bradford
Adams	Ashworth	Boyd	Branyon

Brassell	Goodwyn	Lee (Barbour)	Perry
Brewer	Gregory	Lee (Lawrence)	Pirkle
Broadfoot	Grouby	Locke (Choctaw)	Ramey
Brooks	Hain	Locke (Perry)	Reynolds
Brown (Lamar)	Hall	Love	Richardson
Burkhalter	Haltom	McClendon	Roberts
Callahan	Hanby	McKay	Selman
Cornett	Hardy	McLendon	Shumate
Cox	Hare	McNider	Simon
Crook	Harrison	Martin	Solomon
Dawkins	Hodges	Mathews	Speaks
deGraffenried	Holliman	Meeks	Steagall
Dement	Huddleston	Molette	Stembridge
Dickson	Hunt	Money	Summerlin
Edwards (Escambia)	Jenkins	Murphy	Taylor
Edwards (Jefferson)	Johnson (Elmore)	Nettles	Thomas
Faulk	Johnson (Tallapoosa)	Nice	Tyson
Ferrell	Kaul	Nolen	Vacca
Franklin	Killough	Oakley	Ward
Gilchrist	Kirkham	Oden	Windle
Gist	Lackey	Payne	Wood

—92

And the bill:

S. 49. To amend Title 36, Section 61, 69, and 71, Code of Alabama 1940, as amended, which relate to funds of the Department of Public Safety.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Killough	Perry
Adams	Edwards (Jefferson)	Kirkham	Pirkle
Albea	Faulk	Lackey	Pruitt
Ashworth	Ferrell	Lee (Barbour)	Ramey
Bassett	Franklin	Lee (Lawrence)	Reynolds
Boyd	Gilchrist	Locke (Choctaw)	Richardson
Bradford	Gist	Locke (Perry)	Roberts
Branyon	Gregory	Love	Selman
Brassell	Grouby	McClendon	Shumate
Brewer	Hain	McKay	Simon
Broadfoot	Hall	McLendon	Solomon
Brooks	Haltom	McNider	Speaks
Brown (Lamar)	Hanby	Martin	Steagall
Burkhalter	Hardy	Mathews	Stembridge
Callahan	Harrison	Money	Summerlin
Cornett	Hodges	Murphy	Taylor
Cox	Holliman	Nettles	Thomas
Crook	Huddleston	Nice	Tyson
Davis	Hunt	Nolen	Vacca
Dawkins	Jenkins	Oakley	Ward
deGraffenried	Johnson (Elmore)	Oden	Windle
Dement	Johnson (Tallapoosa)	Payne	Wood
Dickson	Kaul		

—90

H. 127 INDEFINITELY POSTPONED

On motion of Mr. Davis, the bill, H. 127, was indefinitely postponed.

And the bill:

S. 50. To amend Sections 6, 8 and 10 and to repeal Sections 11, 12, 13, 14, and 16 of Act No. 585 entitled "An Act To create a Department of Public Safety; to provide for the appointment by the Governor of the Director thereof; to provide for the salary of said Director, and that said salary may be fixed by the Governor; to authorize the creation of divisions within said department and the appointment under the provisions of the Merit System of the chiefs of said divisions and other employees; to prescribe the duties and powers of the Director of the Department of Public Safety, and to enumerate the laws which said Director shall administer and enforce; to provide for the disposition of costs, fees and mileage of Highway Patrol officers when attending courts; to provide for the police powers possessed by members of the State Highway Patrol; to provide for the payment of the compensation of officers, agents and employees of the Department of Public Safety, and to provide for the payment of expenses for necessary equipment; to create a fund in the State Treasury to be known as the State Public Highway and Traffic Control Fund, and to prescribe the monies which shall be paid into said fund; to require that expenditures of the Department of Public Safety shall be limited to amounts appropriated by the Legislature out of the State Public Highway and Traffic Control Fund; to provide for the liability of members of the State Highway Patrol on their official bonds; to prescribe an arrest fee for Highway Patrol officers, and the payment of said fee into the State Public Highway and Traffic Control Fund; to provide that any unencumbered balance in the State Public Highway and Traffic Control Fund at the end of any two year drivers' licensing period shall be paid into the Public Road and Bridge Fund of the Highway Department; to require the State Comptroller to record the source of funds paid into the State Public Highway and Traffic Control Fund; to authorize the Department of Public Safety to promulgate rules and regulations having the force and effect of law and to provide for a penalty for the violation thereof; to transfer all monies or funds in the Highway Patrol Fund to the State Public Highway and Traffic Control Fund, and to authorize any appropriation heretofore made from said Highway Patrol Fund to be paid out of the said State Public Highway and Traffic Control Fund; and to provide for the effective date of this Act." approved September 11, 1953.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crook	Haltom	Lee (Barbour)
Adams	Davis	Hanby	Lee (Lawrence)
Albea	Dawkins	Hardy	Locke (Choctaw)
Ashworth	deGraffenried	Hare	Locke (Perry)
Bassett	Dement	Harrison	Love
Boyd	Dickson	Harvey	McClendon
Bradford	Edwards (Escambia)	Hodges	McKay
Branyon	Edwards (Jefferson)	Holliman	McLendon
Brassell	Faulk	Huddleston	McNider
Brewer	Ferrell	Hunt	Martin
Broadfoot	Franklin	Jenkins	Mathews
Brooks	Gilchrist	Johnson (Elmore)	Meeks
Brown (Lamar)	Gist	Johnson (Tallapoosa)	Molette
Burkhalter	Gregory	Kaul	Money
Callahan	Grouby	Killough	Murphy
Cornett	Hain	Kirkham	Nettles
Cox	Hall	Lackey	Nice

Nolen	Ramey	Solomon	Thomas
Oakley	Reynolds	Speaks	Tyson
Oden	Richardson	Steagall	Vacca
Payne	Roberts	Stembridge	Ward
Perry	Selman	Summerlin	Windle
Pirkle	Shumate	Taylor	
Pruitt	Simon		

—93

And the bill:

S. 48. To amend Title 51, Section 632, Code of Alabama 1940, as amended, which relates to distribution of tax on lubricating oil.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Tallapoosa)	Oden
Adams	Edwards (Escambia)	Killough	Payne
Albea	Edwards (Jefferson)	Kirkham	Perry
Ashworth	Faulk	Lackey	Pirkle
Bassett	Ferrell	Law	Pruitt
Boyd	Franklin	Lee (Barbour)	Ramey
Bradford	Gilchrist	Lee (Lawrence)	Reynolds
Branyon	Gist	Locke (Choctaw)	Richardson
Brassell	Gregory	Locke (Perry)	Selman
Brewer	Grouby	Love	Shumate
Broadfoot	Hain	McClendon	Simon
Brooks	Hall	McKay	Solomon
Brown (Lamar)	Haltom	McLendon	Speaks
Brown (Lee)	Hanby	McNider	Steagall
Burkhalter	Hardy	Martin	Stembridge
Callahan	Hare	Mathews	Summerlin
Cornett	Harrison	Meeks	Taylor
Cox	Harvey	Money	Thomas
Crook	Hodges	Murphy	Tyson
Davis	Holliman	Nettles	Vacca
Dawkins	Hunt	Nice	Ward
deGraffenried	Jenkins	Nolen	Windle
Dement	Johnson (Elmore)	Oakley	

—91

H. 128 AND H. 129 INDEFINITELY POSTPONED

On motion of Mr. Davis, the bills, H. 128 and H. 129, were indefinitely postponed.

And the bill:

H. 57. Relating to actions on certain contracts of insurance: To provide for recovery of benefits by one assured when more than one party is named as the assured in a contract of insurance.

Was taken up.

Mr. Harrison offered the following amendment to the bill, H. 57:

Amendment to House Bill 57:

Amend House Bill 57 by adding to line two of Section 1 between the words "of insurance," and the words "an action" the following words:

"after the expiration of 5 months from the date the cause of action accrued".

And the amendment was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Tallapoosa)	Oakley
Adams	Edwards (Jefferson)	Kaul	Oden
Albea	Faulk	Killough	Payne
Ashworth	Ferrell	Kirkham	Perry
Bassett	Franklin	Lackey	Pirkle
Boyd	Gilchrist	Law	Pruitt
Bradford	Gist	Lee (Barbour)	Ramey
Branyon	Goodwyn	Lee (Lawrence)	Reynolds
Brassell	Gregory	Locke (Choctaw)	Richardson
Brewer	Grouby	Locke (Perry)	Roberts
Broadfoot	Hain	Love	Selman
Brooks	Hall	McClendon	Shumate
Brown (Lamar)	Haltom	McKay	Simon
Brown (Lee)	Hanby	McLendon	Solomon
Burkhalter	Hardy	McNider	Speaks
Callahan	Hare	Martin	Steagall
Cornett	Harrison	Mathews	Stembridge
Cox	Harvey	Meeks	Summerlin
Crook	Hodges	Molette	Taylor
Davis	Holliman	Money	Thomas
Dawkins	Huddleston	Murphy	Tyson
deGraffenried	Hunt	Nettles	Vacca
Dement	Jenkins	Nice	Ward
DeSear	Johnson (Elmore)	Nolen	Windle
Dickson			

—97

And said bill, H. 57, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 5.

Yeas:

Mr. Speaker	Dement	Huddleston	Mathews
Adams	Edwards (Escambia)	Hunt	Meeks
Albea	Edwards (Jefferson)	Jenkins	Molette
Ashworth	Faulk	Johnson (Elmore)	Money
Bassett	Ferrell	Johnson (Tallapoosa)	Murphy
Boyd	Franklin	Kaul	Nettles
Bradford	Gilchrist	Killough	Nice
Brassell	Goodwyn	Kirkham	Nolen
Brewer	Gregory	Lackey	Oakley
Broadfoot	Grouby	Law	Oden
Brooks	Hain	Lee (Barbour)	Payne
Brown (Lamar)	Hall	Lee (Lawrence)	Perry
Burkhalter	Haltom	Locke (Perry)	Pirkle
Callahan	Hanby	Love	Ramey
Cornett	Hare	McClendon	Richardson
Cox	Harrison	McKay	Selman
Crook	Harvey	McLendon	Shumate
Davis	Hodges	McNider	Simon
deGraffenried	Holliman	Martin	Solomon

REGULAR SESSION

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Speaks	Summerlin	Tyson	Ward
Steagall	Taylor	Vacca	Windle
Stembridge	Thomas		

—86

Nays:

Messrs.	Brown (Lee)	DeSear	Roberts
Branyon	Dawkins		

—5

And the bill:

H. 58. Relating to motor vehicles: To repeal Section 95 of Title 36, Code 1940, which is the "Guest Law."

Was read a third time at length and lost.

Yeas 44; Nays 47.

Yeas:

Mr. Speaker	Dement	Hodges	Oden
Albea	DeSear	Johnson (Elmore)	Pirkle
Brassell	Edwards (Escambia)	Johnson (Tallapoosa)	Richardson
Broadfoot	Ferrell	Kelly	Selman
Brooks	Franklin	Law	Shumate
Brown (Lamar)	Gilchrist	Lee (Lawrence)	Simon
Burkhalter	Gist	Love	Speaks
Callahan	Gregory	McKay	Steagall
Cornett	Grouby	Money	Stembridge
Davis	Haltom	Murphy	Summerlin
deGraffenried	Hare	Nice	Tyson

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Nays:

Messrs.	Edwards (Jefferson)	Kaul	Nettles
Adams	Faulk	Killough	Nolen
Ashworth	Goodwyn	Kirkham	Payne
Bassett	Hain	Lackey	Perry
Boyd	Hall	Locke (Choctaw)	Pruitt
Bradford	Hanby	Locke (Perry)	Ramey
Branyon	Hardy	McClendon	Roberts
Brewer	Harrison	McLendon	Solomon
Brown (Lee)	Holliman	McNider	Taylor
Crook	Huddleston	Martin	Thomas
Dawkins	Hunt	Mathews	Vacca
Dickson	Jenkins	Molette	Windle

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PAIR ANNOUNCED

Mr. Oakley announced that he was paired with Mr. Kendall. If Mr. Kendall were present he would vote "yea" and Mr. Oakley would vote "nay".

MOTION TO RECONSIDER TABLED

On motion of Mr. Faulk, his motion to reconsider the vote by which the bill, H. 58, was lost, was laid upon the table.

Yeas 49; Nays 41.

Yeas:

Messrs.	Bassett	Branyon	Brown (Lee)
Adams	Boyd	Brewer	Cox

Crook	Harrison	McClendon	Payne
Dawkins	Holliman	McLendon	Perry
DeSear	Hunt	McNider	Pruitt
Dickson	Jenkins	Martin	Ramey
Edwards (Jefferson)	Johnson (Elmore)	Mathews	Roberts
Faulk	Kaul	Molette	Solomon
Ferrell	Killough	Money	Taylor
Grouby	Kirkham	Nettles	Thomas
Hain	Lackey	Nolen	Vacca
Hanby	Lee (Barbour)	Oakley	Windle
Hardy	Locke (Choctaw)		

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Nays:

Mr. Speaker	Davis	Huddleston	Oden
Albea	deGraffenried	Johnson (Tallapoosa)	Richardson
Ashworth	Dement	Kelly	Selman
Bradford	Edwards (Escambia)	Law	Shumate
Brassell	Franklin	Lee (Lawrence)	Simon
Broadfoot	Gilchrist	Love	Speaks
Brooks	Gist	McKay	Steagall
Brown (Lamar)	Gregory	Meeks	Stembridge
Burkhalter	Haltom	Murphy	Summerlin
Callahan	Hare	Nice	Tyson
Cornett			

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MOTION ADOPTED

The motion of Mr. Thomas to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 238, was adopted.

Yeas 73; Nays 14.

Yeas:

Messrs.	Ferrell	Johnson (Tallapoosa)	Nolen
Adams	Franklin	Kelly	Oakley
Albea	Gilchrist	Killough	Payne
Ashworth	Goodwyn	Kirkham	Perry
Bassett	Grouby	Lackey	Pirkle
Boyd	Hain	Law	Pruitt
Bradford	Hall	Lee (Barbour)	Ramey
Branyon	Haltom	Locke (Choctaw)	Richardson
Brewer	Hanby	McClendon	Roberts
Broadfoot	Hardy	McKay	Simon
Cornett	Hare	McLendon	Solomon
Cox	Harrison	McNider	Steagall
Crook	Harvey	Mathews	Summerlin
Dawkins	Hodges	Meeks	Taylor
deGraffenried	Holliman	Molette	Thomas
Dement	Huddleston	Money	Tyson
DeSear	Hunt	Murphy	Vacca
Dickson	Jenkins	Nettles	Windle
Edwards (Jefferson)	Johnson (Elmore)		

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Nays:

Mr. Speaker	Brooks	Burkhalter	Davis
Brassell	Brown (Lamar)	Callahan	Edwards (Escambia)

Gist
Gregory

Oden
Shumate

Speaks

Stembridge

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MOTION TO ADJOURN LOST

The motion of Mr. Oden to adjourn until Tuesday, May 31, 1955, at ten o'clock A.M. was lost.

CONSIDERATION OF H. 238

H. 238. To authorize any city in the State to provide a site on which the United States Government may establish an air-craft control and warning station, prescribing the procedure for acquiring and conveying such land; and authorizing the city to cooperate in other ways with the United States in establishment and operation of such station.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Edwards ^(Jefferson)	Johnson ^(Tallapoosa)	Nolen
Adams	Faulk	Kaul	Oakley
Albea	Ferrell	Kelly	Oden
Ashworth	Franklin	Killough	Payne
Bassett	Gilchrist	Kirkham	Perry
Boyd	Gist	Lackey	Pirkle
Bradford	Goodwyn	Law	Pruitt
Branyon	Gregory	Lee ^(Barbour)	Ramey
Brassell	Grouby	Lee ^(Lawrence)	Richardson
Brewer	Hain	Locke ^(Choctaw)	Roberts
Broadfoot	Hall	Love	Selman
Brooks	Haltom	McClendon	Shumate
Brown ^(Lamar)	Hanby	McKay	Simon
Brown ^(Lee)	Hardy	McLendon	Solomon
Burkhalter	Hare	McNider	Speaks
Callahan	Harrison	Martin	Steagall
Cornett	Harvey	Mathews	Stembridge
Cox	Hodges	Meeks	Summerlin
Crook	Holliman	Molette	Taylor
Dawkins	Huddleston	Money	Thomas
deGraffenried	Hunt	Murphy	Tyson
Dement	Jenkins	Nettles	Vacca
Edwards ^(Escambia)	Johnson ^(Elmore)	Nice	Windle

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CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Bills and House Joint Resolution hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:20 A.M. On May 27, 1955.

H. 79

H. 80

H. 81

H. 82

H. 39

H. 50

H. 157

H. 165

H.J.R. 19

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Kirkham the House adjourned until Tuesday, May 31, 1955, at ten o'clock A.M.

NINTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, May 31, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend J. B. Jackson, Jr., Pastor, First Baptist Church, Union Springs, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards ^(Jefferson)	Kelly	Oden
Adams	Faulk	Kendall	Payne
Albea	Ferrell	Killough	Perry
Ashworth	Franklin	Kirkham	Pirkle
Bassett	Gilchrist	Lackey	Pruitt
Boyd	Gist	Law	Ramey
Bradford	Goodwyn	Lee ^(Barbour)	Reynolds
Brannan	Gregory	Lee ^(Lawrence)	Richardson
Branyon	Grouby	Locke ^(Choctaw)	Roberts
Brassell	Hain	Locke ^(Perry)	Selman
Brewer	Hall	Love	Shumate
Broadfoot	Haltom	McClendon	Simon
Brooks	Hanby	McKay	Solomon
Brown ^(Lamar)	Hardy	McLendon	Speaks
Brown ^(Lee)	Hare	McNider	Steagall
Burkhalter	Harrison	Martin	Stembridge
Callahan	Harvey	Mathison	Stokes
Cox	Hawkins	Meeks	Summerlin
Crook	Hodges	Molette	Taylor
Davis	Holliman	Money	Thomas
Dawkins	Huddleston	Murphy	Tyson
deGraffenried	Hunt	Nettles	Vacca
Dement	Jenkins	Nice	Ward
DeSear	Johnson ^(Elmore)	Nolen	Windle
Dickson	Johnson ^(Tallapoosa)	Oakley	Wood
Edwards ^(Escambia)	Kaul		

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eighth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the eighth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the eighth legislative day was approved.

BILLS ON SECOND READING

Mr. Murphy Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 100. An Act for the relief of Mary Jackson Brown, by the payment to her of compensation for the death of her former husband, James Eugene Jackson, while he was in the employ and while in the line of and performing his duty as an employee for the City of Montgomery, Montgomery County, Alabama.

S. 101. An Act for the relief of Bernice Owen McKinney Edwards, by the payment to her of compensation for the death of her former husband, Curtis D. McKinney, while he was in the employ and while in the line of and performing his duty as an employee for the City of Montgomery, Montgomery County, Alabama.

H. 333. Authorizing and empowering the board of education of any county having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census, to provide secretarial or clerical assistance for the principal of any high school within the county.

Mr. Wood Chairman of the Standing Committee on Conservation reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 301. To provide for the reclamation, restoration, operation and maintenance of Fort Morgan, in Baldwin County, Alabama, and certain other forts and buildings adjacent thereto; creating the Fort Morgan Historical Commission for the purpose of reclaiming, restoring, operating and maintaining Fort Morgan and certain other forts and buildings adjacent thereto; prescribing the powers, authority and jurisdiction of the commission, and providing for the appointment, compensation, powers, duties and authority of the members of the commission; providing for the appointment of a secretary or historian and other employees by the commission; giving the commission and the members thereof full police power to prefer charges against, and to make arrests of, any person violating any rule or regulation of the commission governing the operation and maintenance of Fort Morgan and the other forts and buildings under the authority and jurisdiction of the commission; giving the commission the authority to designate any employees of the commission as deputy police officers, with full police power to prefer

charges against, or to make arrests of, any person violating any rule or regulation governing the operation and maintenance of Fort Morgan and the other forts and buildings under the authority and jurisdiction of the commission; prescribing a penalty for violation of the rules and regulations promulgated and adopted by the commission; and transferring the right to all papers, books, records, stationery, supplies and equipment used in the control, maintenance and operation of Fort Morgan by the Division of State Parks, Monuments, and Historical Sites to the Fort Morgan Historical Commission.

Mr. Meeks Chairman of the Standing Committee on Local Legislation No. 2 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 155. To declare the necessity for the construction of modern tunnel vehicular facilities in certain congested areas of the state in order to relieve hazardous, unsafe and crowded traffic conditions and to facilitate vehicular traffic, and to authorize the incorporation and organization in each county in this state having a population of 400,000 or more, according to the last or any succeeding federal census, of one or more tunnel authorities as public corporations for the purpose of acquiring, constructing, owning, operating, extending and improving tunnel vehicular facilities in the county in which such authority shall be organized; to provide for the approval, execution, filing and recording of the certificate of incorporation of each such authority; to provide for the composition of the board of directors of each such authority to exercise its powers and direct its affairs; to grant to each such authority certain powers, including the power of eminent domain with respect to any property deemed by it to be reasonably necessary for such tunnel facilities, including property already devoted to public use; to provide for and define the powers of each such authority with respect to new and existing public roads and access roads; to provide for and authorize the grant to each such authority of certain rights and powers with respect to public roads by the state, the highway department, certain counties and municipalities and other political subdivisions of the state; to grant to each such authority certain powers of entry for the purpose of making surveys; to authorize each such authority to require the relocation or removal of public utility facilities in certain instances; to authorize each such authority to fix, collect and alter tolls and other charges for the use of any tunnel project owned by it; to exempt each such authority from regulation and supervision by the Public Service Commission and all other regulatory bodies or agencies of the state or any political subdivision thereof; to authorize each such authority to make rules and regulations for the use of each tunnel project owned by it and to provide for the punishment of violations of such rules and regulations; to provide that to the extent that such rules and regulations are inconsistent with laws, ordinances or regulations of the state, the state highway department or any local government unit, such rules and regulations of such authority shall be controlling; to authorize the borrowing of money by each such authority and in evidence thereof the issuance of its revenue bonds payable solely from tolls and other revenues and the proceeds derived from said bonds; to provide that such bonds shall not constitute a debt, obligation or liability of the state, any county, municipality or other political subdivision of the state other than the issuing authority; to require public sale of such bonds; to provide that all such bonds shall constitute negotiable instruments and shall be eligible for the investment of trust funds; to authorize each such authority to refund the principal of and the interest on any of its bonds by issuance of its refunding revenue bonds; to provide for the manner of disposition of proceeds from the sale of bonds issued by each such authority; to authorize each such authority to execute

trust indentures and to make certain covenants and agreements as security for any such bonds; to provide that any pledge of tolls and other revenues for the benefit of such bonds shall be valid against all parties having claims of any kind against the authority making such pledge from and after the time a statement of such pledge is filed for record in the office of the judge of probate of the county in which the authority making such pledge is organized; to specify certain rights and remedies available to the holders of any such bonds; to exempt from all taxation in this state all property and income of each such authority and all bonds of each such authority and the income therefrom; to prescribe the conditions under which tunnel projects acquired and constructed by any such authority may be turned over to the state highway department free of tolls and the conditions under which any such authority shall be dissolved; to prohibit free use of any tunnel project except under certain conditions; to authorize the state, the highway department, certain counties, municipalities and other agencies and political subdivisions of the state to grant, convey, lease and lend real property to any such authority; to prohibit the state, the highway department, certain authorities, counties and incorporated municipalities, and any other political subdivisions of the state from constructing a competing facility to any tunnel project constructed under the provisions of this act, except under certain conditions; to authorize certain counties, municipalities, and the highway department to expend moneys and services for the study of any tunnel project and to provide for reimbursement thereof out of the proceeds of bonds issued by the authority constructing such project; and to provide that the exercise of the powers granted in this act to each such authority constitute the performance of an essential governmental function.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Brannan:

H. 334. To make an appropriation of Nine Thousand Five Hundred Dollars (\$9,500.00) from monies in the State Treasury not otherwise appropriated to be used for control and eradication of the White Fringed Beetle.

Ways and Means.

By Mr. Brannan:

H. 335. To make an appropriation of Twenty-Seven Thousand Dollars (\$27,000) from the General Fund of the State Treasury to be used for control and eradication of the White Fringed Beetle for each of the fiscal years ending September 30, 1956 and September 30, 1957.

Ways and Means.

By Messrs. Davis, Martin and Dement:

H. 336. To amend Section 1 of Act No. 689 of the Legislature of 1953, entitled "An Act relating to highways; to authorize the State Highway Department to construct, repair and maintain roads on land owned by the State and designated as the Agricultural Center on which the State Coliseum Building is located" approved September 17, 1953, General Acts of 1953, page 941, by authorizing the State Highway Department to construct roads, driveways, walkways and vehicular parking areas on the property of the Agricultural Center.

Ways and Means.

By Mr. Money:

H. 337. To create a Legal Division within the Highway Depart-

ment as a statutory division of the Highway Department and to provide for the organization, functions, and duties of said Division.

Transportation.

By Messrs. Lee (Lawrence), Gist, Locke (Choctaw), Gregory, Oden, Kelly, Windle, Dement, Money, Roberts, Branyon, Brown (Lamar), Ferrell, Speaks, Cox, Ward, Nettles, Solomon, Locke (Perry), Harvey and Brewer:

H. 338. To amend Section 144 of Title 45 of the 1940 Code of Alabama, as amended by An Act of the Legislature, approved July 7, 1945 (General Acts of Alabama, 1945, page 502).

State Administration.

By Mr. Oden:

H. 339. To amend Section 363 of Title 37 of the Code of Alabama of 1940, as heretofore amended, so as to authorize specifically any municipality in the state to construct, purchase, operate, maintain, enlarge, extend and improve a water supply plant and system, or any part or parts thereof, whether located within or without or partly within and partly without the corporate limits of such municipality, to authorize the delivery and sale of water therefrom, and to provide that any municipality in the state may lawfully expend funds for any actions authorized to be taken by it in said section.

Local Government.

By Mr. Fite (with notice and proof):

H. 340. Relating to Marion County; to amend Section 5 of Act No. 58 adopted at the Second Special Session of the Legislature of Alabama of 1955 so as to change the method and purpose of distribution of the revenue arising from the tax levied by said act and so as to authorize the use and pledge of a portion thereof for the payment of the principal of and interest on certain securities which may be issued pursuant to law.

Local Legislation No. 1.

Notice and Proof H. 340:

NOTICE

State of Alabama,
County of Marion.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Marion County; to amend Section 5 of Act No. 58 adopted at the Second Special Session of the Legislature of Alabama of 1955 so as to change the method and purpose of distribution of the revenue arising from the tax levied by said act and so as to authorize the use and pledge of a portion thereof for the payment of the principal of and interest on certain securities which may be issued pursuant to law.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 5 of Act. No. 58 adopted at the Second Special Session of the legislature of Alabama of 1955 and approved April act

relating to Marion county; levying a county privilege license tax on electric and hydro-electric public utilities, providing for the collection and enforcement of such tax and for the distribution and use of the proceeds thereof", be and the same is hereby amended so that the said section shall read as follows:

"Section 5. All revenue arising from the tax levied by this Act shall be used exclusively for the following purposes: 1) One-third (1/3) thereof shall be paid into the county treasury to be used for the construction, maintenance and operation of a county airport in said county and for payment of the principal of and interest on any securities which may be issued by said county pursuant to law for any of said purposes; 2) One-fourth (1/4) thereof shall be paid into the county-treasury to be used for constructing, providing and equipping a county courthouse in said county and for payment of the principal of and interest on any securities which may be issued by said county pursuant to law for any of said purposes; and 3) Five-twelfths (5/12ths) thereof shall be paid into the county treasury for the general fund of said county. In the event a public corporation should hereafter be created in said county by or pursuant to any law now or hereafter enacted for the purpose of constructing, maintaining or operating a county airport, the revenue herein allocated for the construction, maintenance and operation of a county airport and which shall not be necessary to service any securities theretofore issued by said county for any of said purposes shall be paid to such public corporation for said purposes, but the same or any part thereof may be used and pledged by such public corporation solely for the payment of the principal of and interest on any securities which may be issued by it pursuant to law for the construction of a county airport. In the event the county should hereafter rent or lease a building or buildings from a public corporation for use as a county courthouse in lieu of itself constructing a new county courthouse, then the revenue herein allocated for constructing, providing and equipping a county courthouse and which shall not be necessary to service any securities theretofore issued by said county for any of said purposes shall be used by said county solely for payment of the rent which said county shall become obligated to pay for the use of such building or buildings and may be pledged by said county for payment of such rent under the provisions of the lease contract which the county may make with respect thereto."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert E. Bonham, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 5, May 12, May 19, and May 26, all in the year 1955.

ROBERT E. BONHAM.

Sworn to and subscribed before me May 27, 1955.

NELSON VINSON,
Notary Public.

By Messrs. Selman and Shumate:

H. 341. Relating to court costs in certain appeals from convictions for violation of municipal ordinances.

Local Government.

By Mr. Albea:

H. 342. To amend Section 2 of Act No. 279, approved August 5, 1953, Acts of Alabama, 1953, entitled, "An Act Relating to Counties having a population of not less than 73,000 nor more than 93,000 inhabitants; providing that witness certificates obtained as a State's witness before the grand jury or a court in which a criminal prosecution is pending shall be paid immediately upon presentation for payment."

Local Legislation No. 1.

By Mr. Callahan:

H. 343. To amend Section 95 of Title 36 of the Code of Alabama of 1940, (pertaining to the "Guest" statute).

Judiciary.

By Messrs. Callahan and deGraffenried:

H. 344. To amend Section 7 of Act Number 430, approved August 28, 1953, on Page 535 of the General Acts of Alabama of 1953 (pertaining to master and servant).

Judiciary.

By Messrs. Nolen, Dement, Boyd, Goodwyn, Killough, Taylor, Brannan, McNider, Kendall, Summerlin, Wood, Bassett, Crook and McLendon:

H. 345. Providing further for the care and treatment of alcoholics; authorizing the Commission on Education With Respect to Alcoholism to establish three regional outpatient clinics for limited care and treatment of alcoholics; directing the Medical College of the University of Alabama to furnish the Commission with Beds in the Jefferson-Hillman Hospital and certain psychiatric services for the hospitalization and care and treatment of certain alcoholics when available; providing for the appointment, duties and compensation of a director or administrator for the commission; providing for the appointment, duties and compensation of physicians, psychiatrists and other personnel necessary to carry out the provisions of this Act; directing the commission to investigate the financial condition of alcoholics requesting care and treatment at any of the clinics or at Jefferson-Hillman Hospital, and to assess and collect from any such person that portion of the actual cost of his care and treatment as he is financially able to pay; making an appropriation for the purpose of carrying out the provisions of this Act.

Ways and Means.

By Messrs. Johnson (Tallapoosa), Grouby, Brannan, McKay, Locke (Perry), Cox, Tyson, Murphy, Oden and McLendon:

H. 346. To regulate the cancellation and alteration of certain individual policies of hospitalization or medical expense insurance.

Local Government.

By Messrs. Dawkins, Burkhalter and Law:

H. 347. To amend Section 40, Title 8, of the 1940 Code of Alabama pertaining to non-resident trip fishing licenses.

Conservation.

By Messrs. Dawkins, Burkhalter and Law:

H. 348. To amend Section 39, Title 8 of the 1940 Code of Alabama, relating to non-resident state fishing licenses.

Conservation.

By Messrs. Summerlin, Boyd, Brannan, Killough, Brassell, Brooks, Taylor, Love, Selman, Molette, Dickson, Kendall, Lee (Lawrence), Oden, Reynolds, Gregory, Money, and Stokes:

H. 349. To regulate the labeling, sale and offering or exposing for sale or distribution of agricultural, vegetable, flower and herb seeds; to prevent misrepresentation thereof; to require seed dealers engaged in the sale of seed to obtain an annual permit from the Department of Agriculture and Industries and to levy and prescribe the amount of the annual permit fee, and to require payment thereof by cooperatives; to give the State Board of Agriculture and Industries the authority to promulgate rules and regulations for the purpose of carrying out the provisions of this Act; to repeal all laws in conflict with this Act, including Act No. 560 of the Legislature of 1943, approved July 9, 1943, as amended; to make the violation of any of the provisions of this Act a misdemeanor and to prescribe the punishment therefor; and for other related purposes including other administrative and enforcement provisions.

Agriculture.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Fite:

H.R. 23. WHEREAS, important constitutional questions are presented by Act No. 58 adopted at the Second Special Session of the Legislature of Alabama of 1955 and approved on April 13, 1955, as the said act is proposed to be amended by House Bill No. 340 (a copy of which is attached hereto) now pending in the Legislature of Alabama; and

WHEREAS, important constitutional questions are also presented by the Amendment to the Constitution of 1901 sometimes known as Amendment No. LXXV, which amendment was proposed by Act No. 200 adopted at the 1949 Regular Session of the Legislature of Alabama, as amended by Act No. 480 adopted at the same 1949 session, and was proclaimed by the Governor to be ratified as an amendment to the Constitution on December 21, 1949;

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of Alabama that the Justices of the Supreme Court of Alabama are hereby respectfully requested to render their opinion as provided in Section 34 of Title 13 of the Code of Alabama of 1940 on the following important constitutional questions:

(1) Is the tax that was levied by the said Act No. 58, which is proposed to be amended by the said bill now pending in the Legislature, a "special county privilege license or excise" tax within the meaning of the aforesaid amendment to the Constitution of Alabama?

(2) Can bonds, warrants or other evidences of indebtedness which may be issued under the aforesaid amendment to the Constitution of Alabama be made general obligations of Marion County, or must such bonds, warrants or other evidences of indebtedness be made payable solely out of the proceeds from any special county privilege, license or excise taxes heretofore or hereafter levied and collected within said county?

(3) Would the issuance by Marion County of bonds, warrants and other evidences of indebtedness under the provisions of the aforesaid amendment to the Constitution of Alabama cause said county to become indebted within the meaning of Section 224 of the Constitution of Alabama?

(4) Is the said amendment to the Constitution of Alabama self-executing, or will it be necessary that enabling legislation be enacted in order to authorize the issuance of bonds, warrants and other evidences of indebtedness thereunder?

(5) Does the said amendment to the Constitution of Alabama authorize Marion County to issue warrants at a time when funds are not available for their payment upon presentation to the treasurer or depository of said county as required by Section 78 of Title 12 of the Code of Alabama of 1940?

On motion of Mr. Callahan the rules were suspended and H.R. 23 was adopted.

Also:

By Messrs. Callahan and deGraffenried:

H.J.R. 24. WHEREAS, The Nineteenth Annual Training School For Firemen at the University of Alabama Main Campus at Tuscaloosa is now in session, and;

WHEREAS, it would be advantageous to the Members of the Legislature to have a committee of the Legislature to observe the operation of said School for Firemen,

NOW, THEREFORE, BE IT RESOLVED by both Houses of the Legislature that a committee of five (5) members of the Ways and Means Committee of the House of Representatives to be appointed by the Chairman of the Ways and Means Committee, and a committee of three (3) of the Finance and Taxation Committee of the Senate to be appointed by the Chairman thereof, be named as a committee to visit said Fire School on Wednesday, June 1, 1955, and/or Thursday, June 2, 1955, for the purpose of observing said school in operation and learning the details of the operation of the school together with the present and future needs of said school.

BE IT FURTHER RESOLVED that the expenses of said trip be paid for out of the expenses appropriated to take care of the ordinary expenses of the Legislature upon warrant drawn and approved by the Chairman of said committee;

BE IT FURTHER RESOLVED that the Chairman of said committee be appointed by the Chairman of the Finance and Taxation Committee of the Senate.

On motion of Mr. Callahan the rules were suspended and H.J.R. 24 was adopted.

BILLS ON THIRD READING

S. 71. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Montgomery County.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker
Adams
Albea
Ashworth
Bassett

Boyd
Bradford
Brannan
Branyon
Brassell

Brewer
Broadfoot
Brooks
Brown (Lamar)
Burkhalter

Callahan
Cox
Crook
Davis
Dawkins

deGraffenried	Harrison	Locke (Perry)	Pruitt
Dement	Harvey	Love	Ramey
Edwards (Escambia)	Hawkins	McClendon	Reynolds
Edwards (Jefferson)	Holliman	McKay	Roberts
Faulk	Huddleston	McLendon	Selman
Ferrell	Hunt	McNider	Shumate
Gilchrist	Jenkins	Martin	Simon
Gist	Johnson (Elmore)	Meeks	Solomon
Goodwyn	Johnson (Tallapoosa)	Molette	Steagall
Gregory	Kelly	Money	Stembridge
Grouby	Kendall	Murphy	Taylor
Hain	Kirkham	Nettles	Thomas
Hall	Lackey	Nolen	Tyson
Haltom	Law	Oakley	Vacca
Hanby	Lee (Barbour)	Oden	Ward
Hardy	Lee (Lawrence)	Payne	Wood
Hare	Locke (Choctaw)	Pirkle	

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And the bill:

H. 242. To alter or rearrange the boundary lines of the City of Oneonta, Alabama, so as to include therein and within the Corporate Limits of said City territory not already included therein.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Nolen
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Albea	Faulk	Kelly	Oden
Ashworth	Ferrell	Kendall	Payne
Bassett	Gilchrist	Kirkham	Pirkle
Boyd	Gist	Lackey	Pruitt
Bradford	Goodwyn	Law	Ramey
Brannan	Gregory	Lee (Barbour)	Reynolds
Branyon	Grouby	Lee (Lawrence)	Roberts
Brassell	Hain	Locke (Choctaw)	Selman
Brewer	Hall	Locke (Perry)	Shumate
Broadfoot	Haltom	Love	Simon
Brooks	Hanby	McClendon	Solomon
Brown (Lamar)	Hardy	McKay	Steagall
Burkhalter	Hare	McLendon	Stembridge
Callahan	Harrison	McNider	Taylor
Cox	Harvey	Martin	Thomas
Crook	Hawkins	Meeks	Tyson
Davis	Holliman	Molette	Vacca
Dawkins	Huddleston	Money	Ward
deGraffenried	Hunt	Murphy	Wood
Dement	Jenkins	Nettles	

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And the bill:

H. 250. To alter or re-arrange the boundary lines of the Town of Collinsville, DeKalb County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory in DeKalb County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Nolen
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Albea	Faulk	Kelly	Oden
Ashworth	Ferrell	Kendall	Payne
Bassett	Gilchrist	Kirkham	Pirkle
Boyd	Gist	Lackey	Pruitt
Bradford	Goodwyn	Law	Ramey
Brannan	Gregory	Lee (Barbour)	Reynolds
Branyon	Grouby	Lee (Lawrence)	Roberts
Brassell	Hain	Locke (Choctaw)	Selman
Brewer	Hall	Locke (Perry)	Shumate
Broadfoot	Haltom	Love	Simon
Brooks	Hanby	McClendon	Solomon
Brown (Lamar)	Hardy	McKay	Steagall
Burkhalter	Hare	McLendon	Stembridge
Callahan	Harrison	McNider	Taylor
Cox	Harvey	Martin	Thomas
Crook	Hawkins	Meeks	Tyson
Davis	Holliman	Molette	Vacca
Dawkins	Huddleston	Money	Ward
deGraffenried	Hunt	Murphy	Wood
Dement	Jenkins	Nettles	

—87

And the bill:

H. 262. Relating to the government of Lawrence County; abolishing the Board of Revenue of Lawrence County created by Act No. 18, S. 2, approved May 18, 1951, and establishing in lieu thereof the Court of County Commissioners; providing for the organization, powers, jurisdiction, and duties of the Court of County Commissioners, and for the qualifications, manner of election, and compensation of its members; and regulating the county purchasing procedures.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Davis	Hare	Locke (Perry)
Adams	Dawkins	Harrison	Love
Albea	deGraffenried	Harvey	McClendon
Ashworth	Dement	Hawkins	McKay
Bassett	Edwards (Escambia)	Holliman	McLendon
Boyd	Edwards (Jefferson)	Huddleston	McNider
Bradford	Faulk	Hunt	Martin
Brannan	Ferrell	Jenkins	Meeks
Branyon	Gilchrist	Johnson (Elmore)	Molette
Brassell	Gist	Johnson (Tallapoosa)	Money
Brewer	Goodwyn	Kelly	Murphy
Broadfoot	Gregory	Kendall	Nettles
Brooks	Grouby	Kirkham	Nolen
Brown (Lamar)	Hain	Lackey	Oakley
Burkhalter	Hall	Law	Oden
Callahan	Haltom	Lee (Barbour)	Payne
Cox	Hanby	Lee (Lawrence)	Pirkle
Crook	Hardy	Locke (Choctaw)	Pruitt

Ramey	Shumate	Stembridge	Vacca
Reynolds	Simon	Taylor	Ward
Roberts	Solomon	Thomas	Wood
Selman	Steagall	Tyson	

—87

And the bill:

H. 279 (with amendment). To amend Section 2 of an act entitled an act "To change the method of compensating the Register of the Circuit Court of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him". Local Acts of Alabama, 1947, page 323.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amendment to H.B. No. 279:

Amend H.B. 279 by striking out Section 3 and substituting therefor the following:

This act shall become effective July 1, 1955.

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Nolen
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Albea	Faulk	Kelly	Oden
Ashworth	Ferrell	Kendall	Payne
Bassett	Gilchrist	Kirkham	Pirkle
Boyd	Gist	Lackey	Pruitt
Bradford	Goodwyn	Law	Ramey
Brannan	Gregory	Lee (Barbour)	Reynolds
Branyon	Grouby	Lee (Lawrence)	Roberts
Brassell	Hain	Locke (Choctaw)	Selman
Brewer	Hall	Locke (Perry)	Shumate
Broadfoot	Haltom	Love	Simon
Brooks	Hanby	McClendon	Solomon
Brown (Lamar)	Hardy	McKay	Steagall
Burkhalter	Hare	McLendon	Stembridge
Callahan	Harrison	McNider	Taylor
Cox	Harvey	Martin	Thomas
Crook	Hawkins	Meeks	Tyson
Davis	Holliman	Molette	Vacca
Dawkins	Huddleston	Money	Ward
deGraffenried	Hunt	Murphy	Wood
Dement	Jenkins	Nettles	

—87

And said bill, H. 279, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Bassett	Branyon	Brooks
Adams	Boyd	Brassell	Brown (Lamar)
Albea	Bradford	Brewer	Burkhalter
Ashworth	Brannan	Broadfoot	Callahan

Cox	Hanby	Lee (Lawrence)	Pirkle
Crook	Hardy	Locke (Choctaw)	Pruitt
Davis	Hare	Locke (Perry)	Ramey
Dawkins	Harrison	Love	Reynolds
deGraffenried	Harvey	McClendon	Roberts
Dement	Hawkins	McKay	Selman
Edwards (Escambia)	Holliman	McLendon	Shumate
Edwards (Jefferson)	Huddleston	McNider	Simon
Faulk	Hunt	Martin	Solomon
Ferrell	Jenkins	Meeks	Steagall
Gilchrist	Johnson (Elmore)	Molette	Stembridge
Gist	Johnson (Tallapoosa)	Money	Taylor
Goodwyn	Kelly	Murphy	Thomas
Gregory	Kendall	Nettles	Tyson
Grouby	Kirkham	Nolen	Vacca
Hain	Lackey	Oakley	Ward
Hall	Law	Oden	Wood
Haltom	Lee (Barbour)	Payne	

—87

And the bill:

H. 280. To authorize and provide for the payment out of the general funds of Talladega County, Alabama, not otherwise appropriated the sum of One Thousand, fourteen and no/100 (\$1,014.00) Dollars for the relief of Manly R. Joiner for the purpose of compensating him for money advanced by him to employ needed clerical assistance in the office of the Register of the Circuit Court of Talladega County, Alabama during the years 1954 and 1955, for which advances he has not been repaid.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Nolen
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Albea	Faulk	Kelly	Oden
Ashworth	Ferrell	Kendall	Payne
Bassett	Gilchrist	Kirkham	Pirkle
Boyd	Gist	Lackey	Pruitt
Bradford	Goodwyn	Law	Ramey
Brannan	Gregory	Lee (Barbour)	Reynolds
Branyon	Grouby	Lee (Lawrence)	Roberts
Brassell	Hain	Locke (Choctaw)	Selman
Brewer	Hall	Locke (Perry)	Shumate
Broadfoot	Haltom	Love	Simon
Brooks	Hanby	McClendon	Solomon
Brown (Lamar)	Hardy	McKay	Steagall
Burkhalter	Hare	McLendon	Stembridge
Callahan	Harrison	McNider	Taylor
Cox	Harvey	Martin	Thomas
Crook	Hawkins	Meeks	Tyson
Davis	Holliman	Molette	Vacca
Dawkins	Huddleston	Money	Ward
deGraffenried	Hunt	Murphy	Wood
Dement	Jenkins	Nettles	

—87

And the bill:

H. 282. To apply in all counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census; prescribing the time for opening and closing the polls in such counties and the municipalities therein.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Nolen
Adams	Edwards (Jefferson)	Johnson (Tallahassee)	Oakley
Albea	Faulk	Kelly	Oden
Ashworth	Ferrell	Kendall	Payne
Bassett	Gilchrist	Kirkham	Pirkle
Boyd	Gist	Lackey	Pruitt
Bradford	Goodwyn	Law	Ramey
Brannan	Gregory	Lee (Barbour)	Reynolds
Branyon	Grouby	Lee (Lawrence)	Roberts
Brassell	Hain	Locke (Choctaw)	Selman
Brewer	Hall	Locke (Perry)	Shumate
Broadfoot	Haltom	Love	Simon
Brooks	Hanby	McClendon	Solomon
Brown (Lamar)	Hardy	McKay	Steagall
Burkhalter	Hare	McLendon	Stembridge
Callahan	Harrison	McNider	Taylor
Cox	Harvey	Martin	Thomas
Crook	Hawkins	Meeks	Tyson
Davis	Holliman	Molette	Vacca
Dawkins	Huddleston	Money	Ward
deGraffenried	Hunt	Murphy	Wood
Dement	Jenkins	Nettles	

—87

And the bill:

H. 257. To amend Act No. 57, H. 59, approved April 8, 1955, entitled, "An Act relating to judicial procedure, and to provide for and regulate the selecting and impaneling of juries and alternate jurors in all criminal and quasi-criminal cases in the circuit courts in counties having a population of 400,000 or more according to the last or any future federal census; and to provide for the repeal of sections 221 to 227, both inclusive, of Title 62, Code of 1940, and of all Acts amendatory of said sections."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Brassell	Davis	Gist
Adams	Brewer	Dawkins	Goodwyn
Albea	Broadfoot	deGraffenried	Gregory
Ashworth	Brooks	Dement	Grouby
Bassett	Brown (Lamar)	Edwards (Escambia)	Hain
Boyd	Burkhalter	Edwards (Jefferson)	Hall
Bradford	Callahan	Faulk	Haltom
Brannan	Cox	Ferrell	Hanby
Branyon	Crook	Gilchrist	Hardy

Hare	Lackey	Molette	Selman
Harrison	Law	Money	Shumate
Harvey	Lee (Barbour)	Murphy	Simon
Hawkins	Lee (Lawrence)	Nettles	Solomon
Holliman	Locke (Choctaw)	Nolen	Steagall
Huddleston	Locke (Perry)	Oakley	Stembridge
Hunt	Love	Oden	Taylor
Jenkins	McClendon	Payne	Thomas
Johnson (Elmore)	McKay	Pirkle	Tyson
Johnson (Tallapoosa)	McLendon	Pruitt	Vacca
Kelly	McNider	Ramey	Ward
Kendall	Martin	Reynolds	Wood
Kirkham	Meeks	Roberts	

—87

And the bill:

H. 24. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Elmore County.

Was again taken up.

Mr. Law offered the following amendment to the bill, H. 24:
Amendment of H.B. 24:

Strike out the last two sentences of the proposed amendment, which read as follows:

"Any other provision of this Constitution or amendments thereto to the contrary notwithstanding, the provisions of this amendment shall be applicable to the compensation of the persons who are incumbents of such offices at the time this amendment is ratified. The Legislature shall not, however, increase or decrease, or authorize the increase or the decrease of, the compensation of any such officer who is elected or appointed after the ratification of this amendment during the term for which such officer was elected or appointed."

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Messrs.	Edwards (Jefferson)	Jenkins	Nolen
Adams	Faulk	Johnson (Elmore)	Oden
Albea	Ferrell	Johnson (Tallapoosa)	Payne
Ashworth	Gilchrist	Kendall	Pirkle
Bassett	Gist	Kirkham	Pruitt
Boyd	Goodwyn	Lackey	Ramey
Bradford	Gregory	Law	Reynolds
Brannan	Grouby	Lee (Barbour)	Richardson
Brassell	Hain	Lee (Lawrence)	Selman
Brewer	Hall	Locke (Perry)	Shumate
Broadfoot	Haltom	Love	Simon
Brown (Lamar)	Hanby	McClendon	Solomon
Burkhalter	Hardy	McKay	Steagall
Cox	Hare	McNider	Stembridge
Davis	Harrison	Martin	Taylor
Dawkins	Harvey	Meeks	Thomas
deGraffenried	Hawkins	Molette	Vacca
Dement	Holliman	Money	Ward
DeSear	Huddleston	Murphy	Wood
Edwards (Escambia)	Hunt	Nettles	

—78

And said bill, H. 24, as thus amended, was again read at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Messrs.	Edwards (Jefferson)	Hunt	Oden
Albea	Faulk	Johnson (Tallapoosa)	Payne
Ashworth	Ferrell	Kendall	Pirkle
Bassett	Gilchrist	Killough	Pruitt
Boyd	Gist	Kirkham	Ramey
Bradford	Goodwyn	Lackey	Reynolds
Brannan	Gregory	Law	Richardson
Brassell	Grouby	Lee (Barbour)	Roberts
Brewer	Hain	Lee (Lawrence)	Selman
Broadfoot	Hall	Locke (Perry)	Shumate
Brooks	Haltom	McClendon	Solomon
Brown (Lamar)	Hanby	McKay	Steagall
Burkhalter	Hardy	McLendon	Stembridge
Cox	Hare	McNider	Taylor
Davis	Harrison	Martin	Thomas
Dawkins	Harvey	Meeks	Vacca
deGraffenried	Hawkins	Molette	Ward
DeSear	Holliman	Nolen	Wood
Edwards (Escambia)	Huddleston		

—73

And the bill:

H. 130. To provide that in addition to all other appropriations heretofore made there is hereby appropriated the additional sum of \$10,000.00 from any funds in the State Treasury not otherwise appropriated for the fiscal year ending September 30, 1955, to be expended for telephone service, stationery, stamps, and necessary office equipment for the office use of circuit solicitors, deputy circuit solicitors or assistants.

Was taken up.

The motion of Mr. Dawkins to lay on the table the motion of Mr. Faulk to postpone further consideration of the bill, H. 130, until the next legislative day was adopted.

And said bill, H. 130, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 16.

Yeas:

Mr. Speaker	Cox	Hall	Lackey
Adams	Davis	Hanby	Law
Albea	Dawkins	Hare	Lee (Barbour)
Ashworth	deGraffenried	Harrison	Lee (Lawrence)
Bassett	Dement	Harvey	McClendon
Brannan	Edwards (Escambia)	Hawkins	McKay
Branyon	Edwards (Jefferson)	Huddleston	McLendon
Brassell	Ferrell	Hunt	McNider
Brewer	Gilchrist	Jenkins	Martin
Broadfoot	Gist	Jonsson (Elmore)	Molette
Brooks	Goodwyn	Kelly	Murphy
Burkhalter	Gregory	Kendall	Nice
Callahan	Grouby	Killough	Nolen

Oden	Ramey	Steagall	Vacca
Payne	Roberts	Stembridge	Ward
Perry	Selman	Stokes	Wood
Pirkle	Shumate	Taylor	
Pruitt	Speaks	Thomas	

—70

Nays:

Messrs.	Faulk	Hodges	Locke (Perry)
Boyd	Hain	Holliman	Love
Bradford	Haltom	Johnson (Tallapoosa)	Nettles
Brown (Lamar)	Hardy	Kirkham	Richardson
DeSear			

—16

And the bill:

H. 61. Relating to civil remedies and procedure: To provide for pleading in short in civil cases at law.

Was taken up.

Mr. Hare offered the following amendment to the bill, H. 61:

Amendment of H. B. 61:

Amend Section 1 of the bill by adding thereto the following paragraph:

"And in such cases the court shall direct the attorneys for the parties to appear before it for a conference to consider the simplification of the issues, the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof, the limitation of the number of expert witnesses, and such other matters as may aid in the disposition of the action. The court shall make an order reciting the action taken at the conference, and the agreements made by the parties as to any of the matters considered, and which limits the issues for trial to those not disposed of by admissions or agreements of counsel; and such order when entered controls the subsequent course of the action, unless modified at the trial to prevent manifest injustice."

And the amendment was adopted.

Yeas 81; Nays 7.

Yeas:

Mr. Speaker	Dawkins	Hawkins	Love
Adams	deGraffenried	Hodges	McClendon
Albea	Dement	Holliman	McKay
Ashworth	DeSear	Huddleston	McLendon
Bassett	Edwards (Escambia)	Hunt	McNider
Boyd	Edwards (Jefferson)	Jenkins	Martin
Bradford	Ferrell	Johnson (Elmore)	Meeks
Brannan	Franklin	Johnson (Tallapoosa)	Molette
Branyon	Gist	Kaul	Money
Brassell	Goodwyn	Kelly	Murphy
Brooks	Gregory	Kendall	Nolen
Brown (Lamar)	Grouby	Killough	Oden
Burkhalter	Hain	Kirkham	Payne
Callahan	Hall	Lackey	Perry
Cox	Hardy	Law	Pruitt
Crook	Hare	Locke (Choctaw)	Reynolds
Davis	Harrison	Locke (Perry)	Richardson

Roberts	Solomon	Stembridge	Tyson
Selman	Speaks	Stokes	Vacca
Shumate	Steagall	Taylor	Wood
Simon			

—81

Nays:

Messrs.	Broadfoot	Haltom	Lee (Barbour)
Brewer	Gilchrist	Hanby	Thomas

—7

The motion of Mr. Hare to lay on the table the motion of Mr. Haltom to recommit the bill, H. 61, as amended, was adopted.

Yeas 49; Nays 47.

Yeas:

Mr. Speaker	Ferrell	Kendall	Selman
Albea	Franklin	Law	Shumate
Bradford	Gregory	Love	Simon
Brannan	Hain	McKay	Speaks
Branyon	Hall	McLendon	Steagall
Brassell	Hare	McNider	Stembridge
Brown (Lamar)	Harrison	Martin	Stokes
Burkhalter	Hawkins	Mathews	Summerlin
Callahan	Hodges	Meeks	Tyson
Crook	Jenkins	Murphy	Vacca
Davis	Johnson (Elmore)	Oden	Wood
Dawkins	Johnson (Tallapoosa)	Pruitt	
Edwards (Escambia)	Kelly		

—49

Nays:

Messrs.	Faulk	Kaul	Nolen
Adams	Gilchrist	Killough	Oakley
Ashworth	Gist	Kirkham	Payne
Bassett	Goodwyn	Lackey	Perry
Boyd	Grouby	Lee (Barbour)	Pirkle
Brewer	Haltom	Lee (Lawrence)	Ramey
Broadfoot	Hanby	Locke (Perry)	Richardson
Brooks	Hardy	McClendon	Roberts
Cox	Harvey	Molette	Solomon
Dement	Holliman	Money	Taylor
DeSear	Huddleston	Nettles	Thomas
Edwards (Jefferson)	Hunt	Nice	Ward

—47

The motion of Mr. Hare to postpone further consideration of the bill, H. 61, as amended, to the next legislative day was adopted.

BILLS POSTPONED

On motion of Mr. Simon, consideration of the bill, H. 66, was postponed until the twelfth legislative day.

On motion of Mr. Selman, consideration of the bill, H. 140, was postponed until the fifteenth legislative day.

And the bill:

H. 167. To amend Section 369 of Title 15 of the 1940 Code, which relates to appeals in habeas corpus cases.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Faulk	Kendall	Oakley
Adams	Ferrell	Killough	Oden
Albea	Franklin	Kirkham	Payne
Ashworth	Gilchrist	Lackey	Perry
Bassett	Gist	Law	Pirkle
Boyd	Goodwyn	Lee (Barbour)	Pruitt
Bradford	Gregory	Lee (Lawrence)	Ramey
Brannan	Grouby	Locke (Choctaw)	Reynolds
Branyon	Hall	Locke (Perry)	Richardson
Brassell	Haltom	Love	Roberts
Brewer	Hanby	McClendon	Selman
Broadfoot	Hardy	McKay	Shumate
Brown (Lamar)	Hare	McLendon	Simon
Burkhalter	Harrison	McNider	Speaks
Callahan	Harvey	Martin	Steagall
Cox	Hawkins	Mathews	Stembridge
Crook	Hodges	Molette	Summerlin
Davis	Holliman	Money	Taylor
Dawkins	Huddleston	Murphy	Thomas
deGraffenried	Hunt	Nettles	Vacca
DeSear	Jenkins	Nice	Ward
Edwards (Escambia)	Johnson (Tallapoosa)	Nolen	Wood
Edwards (Jefferson)	Kelly		

—90

And the bill:

H. 38. Relating to appointments to certain positions in the State Highway Department; providing that employees of the State Highway Department used in any county in connection with the construction, maintenance, and repair of county roads and bridges, where responsibility for such construction, maintenance, and repair is transferred by law to the State Highway Department, shall be drawn insofar as possible from residents of the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 4.

Yeas:

Mr. Speaker	Davis	Haltom	Kirkham
Albea	Dawkins	Hanby	Lackey
Ashworth	deGraffenried	Hardy	Law
Bassett	DeSear	Hare	Lee (Barbour)
Boyd	Edwards (Escambia)	Harrison	Lee (Lawrence)
Bradford	Edwards (Jefferson)	Harvey	Locke (Choctaw)
Brannan	Faulk	Hawkins	Locke (Perry)
Branyon	Ferrell	Hodges	Love
Brassell	Franklin	Holliman	McClendon
Brewer	Gilchrist	Huddleston	McKay
Broadfoot	Gist	Hunt	McLendon
Burkhalter	Goodwyn	Jenkins	McNider
Callahan	Gregory	Johnson (Elmore)	Martin
Cox	Grouby	Kelly	Mathews
Crook	Hall	Killough	Meeks

Molette	Oakley	Ramey	Stembridge
Money	Oden	Reynolds	Summerlin
Murphy	Payne	Roberts	Taylor
Nettles	Perry	Simon	Thomas
Nice	Pirkle	Speaks	Vacca
Nolen	Pruitt	Steagall	Wood

—84

Nays: Messrs. Brown (Lamar), Johnson (Tallapoosa), Kendall and Richardson. —4

H. 178 POSTPONED

On motion of Mr. Kaul, consideration of the bill, H. 178, was postponed until the fifteenth legislative day.

And the bill:

H. 164 (with amendment). To provide for the appointment of volunteer forest fire wardens by the Director of the Department of Conservation; to set forth the duties of such wardens and to further provide for the issuance of equipment to them and the compensation to be received by such wardens.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Conservation, said committee amendment being as follows:

CONSERVATION COMMITTEE AMENDMENT TO HOUSE BILL 164

Amend Section 4 of House Bill 164 by striking therefrom the words "official duty" wherever they appear in said Section and substituting therefor the words "fire fighting".

And the amendment was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Faulk	Johnson (Tallapoosa)	Nettles
Adams	Ferrell	Kaul	Nice
Albea	Franklin	Kelly	Nolen
Ashworth	Gilchrist	Kendall	Oakley
Bassett	Gist	Killough	Oden
Boyd	Goodwyn	Kirkham	Payne
Bradford	Gregory	Lackey	Perry
Brannan	Grouby	Law	Pirkle
Branyon	Hain	Lee (Barbour)	Pruitt
Brassell	Hali	Lee (Lawrence)	Ramey
Brewer	Haltom	Locke (Choctaw)	Reynolds
Broadfoot	Hanby	Locke (Perry)	Richardson
Brown (Lamar)	Hardy	Love	Roberts
Burkhalter	Hare	McClendon	Selman
Callahan	Harrison	McKay	Shumate
Cox	Harvey	McLendon	Simon
Crook	Hawkins	McNider	Solomon
Davis	Hodges	Martin	Speaks
Dawkins	Holliman	Mathews	Steagall
deGraffenried	Huddleston	Meeks	Stembridge
DeSear	Hunt	Molette	Stokes
Edwards (Escambia)	Jenkins	Money	Summerlin
Edwards (Jefferson)	Johnson (Elmore)	Murphy	Taylor

Thomas
Wood

Tyson

Vacca

Ward

—97

And said bill, H. 164, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Ferrell	Kaul	Oden
Adams	Franklin	Kelly	Pirkle
Albea	Gilchrist	Killough	Pruitt
Ashworth	Gist	Kirkham	Ramey
Bassett	Goodwyn	Lackey	Reynolds
Boyd	Gregory	Law	Richardson
Bradford	Grouby	Lee (Barbour)	Roberts
Brannan	Hain	Lee (Lawrence)	Selman
Branyon	Hall	Locke (Choctaw)	Shumate
Brassell	Haltom	Locke (Perry)	Simon
Brewer	Hanby	McClendon	Solomon
Broadfoot	Hardy	McKay	Speaks
Brown (Lamar)	Hare	McLendon	Steagall
Burkhalter	Harrison	McNider	Stembridge
Callahan	Harvey	Martin	Stokes
Cox	Hawkins	Mathews	Summerlin
Crook	Hodges	Meeks	Taylor
Dawkins	Holliman	Molette	Thomas
deGraffenried	Huddleston	Money	Tyson
DeSear	Hunt	Murphy	Vacca
Edwards (Escambia)	Jenkins	Nettles	Ward
Edwards (Jefferson)	Johnson (Elmore)	Nice	Wood
Faulk	Johnson (Tallapoosa)	Nolen	

—91

And the bill:

H. 62 (with substitute). Authorizing the creation of a public corporation within each county in the State which shall have the power to construct, lease, own and operate irrigation projects, hydro-electric power producing projects, sell water and water rights and have certain other powers and duties; authorizing the issuance of revenue bonds, and revenue refunding bonds, payable from the revenues of such projects, to pay the costs of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; providing that no debt of the State or any political subdivision hereof shall be incurred in the exercise of any of the powers granted by this Act; granting such corporations the right of eminent domain; and prescribing penalties for the violation of certain provisions of this Act.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Conservation, said committee substitute being as follows:

Substitute for H. B. 62:

**A BILL
TO BE ENTITLED
AN ACT**

Authorizing the creation of a public corporation within each county in the State which shall have the power to construct, lease, own and operate irrigation projects, hydro-electric power producing projects,

sell water and water rights and have certain other powers and duties; authorizing the issuance of revenue bonds, and revenue refunding bonds, payable from the revenues of such projects, to pay the costs of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; providing that no debt of the State or any political subdivision thereof shall be incurred in the exercise of any of the powers granted by this Act; granting such corporations the right of eminent domain; and prescribing penalties for the violation of certain provisions of this Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The governing body of any county of this State is hereby authorized to declare, by the adoption of an appropriate resolution, the need for the formation of a County Water Conservation and Irrigation Corporation, or other such corporation as herein provided for. Upon the adoption of such resolution the governing body shall appoint five persons, each of whom must be a duly qualified elector and property owner in the county, who shall form the board of directors of such corporation and shall proceed to organize such corporation.

Section 2. The certificate of incorporation of the corporation shall state: The names of the persons forming the corporation together with the residence of each thereof and a statement that each of them is a duly qualified elector of and property owner in the county; the name of the corporation; the location of its principal office, which shall be in the county seat of the county; and any other matters relating to the corporation which the incorporators may choose to insert and which shall not be inconsistent with this Act or with the laws of the State. The name designated for the corporation in the certificate of incorporation shall be one indicating the purpose thereof, such as "..... County Water Conservation and Irrigation Corporation" or some other name of similar import. The certificate of incorporation shall be signed and acknowledged by the incorporators before an officer authorized by the laws of the State to take acknowledgements of deeds, and the certificate of incorporation shall have attached thereto a certified copy of the resolution provided for in Section 1, and a certificate by the Secretary of State that the name proposed for the corporation is not identical with that of any other corporation in the State or so nearly similar thereto as to lead to confusion and uncertainty.

Section 3. The certificate of incorporation with the documents attached shall be filed with the judge of probate of the county and the Secretary of State, who shall forthwith receive and record the same. When such certificates is so filed the corporation referred to therein shall come into existence and shall constitute a body corporate and politic, vested with the rights and powers herein granted.

Section 4. All powers of the corporation shall be exercised by the board of directors or pursuant to its authority. The directors shall be elected by the governing body of the county for staggered terms of office as follows: two years, three years, four years, five years, and six years; and thereafter the term of office of each director shall be six years. If any director resigns or dies or becomes incapable of acting as a director or ceases to reside in the county, the governing body may elect a successor to serve for the unexpired term. Directors shall be eligible for re-election by the county governing body to succeed themselves in office. A majority of the members of the board shall constitute a quorum for the transaction of business. The corporation shall have a president, a vice-president, a secretary, and a treasurer, but the offices of secretary and treasurer may be held by the same person. All officers shall be elected by the board. The members of the board and the officers shall serve without compensation, except that they may be reimbursed

for actual expenses incurred in the performance of their duties. All proceedings of the board shall be reduced to writing by the secretary of the corporation and recorded in a well bound book. Copies of such proceedings, when certified by the secretary of the corporation under its seal, shall be received in all courts as evidence of the matters and things therein certified.

Section 5. Any corporation organized and established under the provisions of this Act shall have the following powers:

a. To adopt bylaws for the regulation of its affairs and the conduct of its business.

b. To adopt an official seal and alter the same at pleasure.

c. To maintain a principal office at the county seat, and sub-offices at such places within the county as it may designate.

d. To sue and be sued in its own name.

e. To enter into contracts and agreements or do any act, necessary for or incidental to the performance of its duties and the execution of its powers under this Act.

f. To acquire, hold and dispose of real and personal property or any interest therein.

g. To purchase, lease, construct or otherwise acquire dams, lakes, streams, water rights, wells or other sources of water or water power.

h. To purchase, lease, construct or otherwise acquire irrigation facilities and to operate any irrigation project.

i. To purchase, lease, construct or otherwise acquire hydro-electric power producing facilities and to sell the power produced therefrom.

j. To sell, grant or lease water or water rights to any municipality, county or political subdivision of this State, or to any person, firm or corporation for any purpose.

k. To issue revenue bonds or refunding bonds in accordance with the provisions of this Act.

l. To fix, revise, charge and collect tolls, rentals, and charges for services or products sold, leased, rented or provided by any project undertaken by the corporation.

m. To promulgate rules and regulations in regard to the operation of any of its projects and the use of the products or services sold, leased or rendered in connection with any of its projects.

n. To enter into agreements and contracts with the Federal Government in relation to any project undertaken or proposed by the corporation.

o. To accept gifts from any source whatsoever.

p. To have and exercise the right of eminent domain, in the manner provided in Title 19, Code of Alabama 1940, as amended, for the condemnation of private property for public use.

Section 6. Any such corporation is hereby authorized to provide by resolution for the issuance of bonds of the corporation for any of its corporate purposes, including the refunding of its bonds. The principal of and the interest on any issue of such bonds shall be payable solely from, and may be secured by a pledge of, tolls, rentals, sales receipts and other revenues of all or any part of the project or projects financed

in whole or in part with the proceeds of such bond issue or with the proceeds of bonds refunded or to be refunded by such issue. The proceeds of any such bonds may be used or pledged for the payment or security of the principal or of the interest on bonds, and for the establishment of any or all reserves for such payment or security, or for other corporate purposes as the corporation may authorize in the resolution authorizing the issuance of bonds or in the trust agreement securing the same. The bonds of each issue shall be dated; shall bear interest not in excess of six per cent per annum; shall mature at such time or times, not exceeding forty (40) years from their date or dates, as may be determined by the corporation; and may be made redeemable before maturity, at the option of the corporation, at such price or prices, and under such terms and conditions, as may be fixed by the corporation prior to the issuance of the bonds. The amount of premium on any bond shall not cause the yield to be more than six per cent per annum from the date of such bonds to the date of their redemption. The corporation shall determine the form of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the State. The bonds shall be signed by the president of the corporation or shall bear his facsimile signature; and the official seal of the corporation or a facsimile thereof shall be impressed, imprinted, engraved, or otherwise reproduced thereon. The official seal or a facsimile thereof shall be attested by the secretary of the corporation, or shall bear his facsimile signature; and any coupons attached thereto shall bear the facsimile signature of the president of the corporation. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until such delivery. All bonds issued under the provisions of this Act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the State. The bonds may be issued in coupon or in registered form, or both, as the corporation may determine; and provisions may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest. The corporation may sell such bonds in such manner and for such price, as it may determine to be for the best interest of the corporation.

The corporation shall have power from time to time, in anticipation of the issuance of bonds, to issue notes, and from time to time to issue renewal notes maturing not later than three years from their respective dates, in an amount not exceeding the amount of bonds issued under the provisions of this Act. The authorization and issuance of such notes, the interest thereon, the rights of the holders thereof, and the rights, duties, and obligations of the corporation in respect thereto, shall be governed by the provisions of this Act with respect to the issuance of bonds, insofar as the same may be applicable.

The corporation may, out of any funds available therefor, purchase notes or bonds, which shall thereupon be cancelled, at not more than the redemption price then applicable, or, if not then redeemable, at a premium of not more than one per cent of their face amount, plus accrued interest to the date of purchase.

Neither the members of the corporation nor any person executing the notes or bonds shall be personally liable on the notes or bonds, or be accountable by reason of the issuance thereof in accordance with the provisions of this Act.

The proceeds of the bonds of each issue shall be disbursed in such manner and under such restrictions as the corporation may provide in the resolution authorizing the issuance of the bonds, or in the trust agreement, hereinafter mentioned, securing the bonds.

Prior to the preparation of definitive bonds, the corporation may, under like restrictions, issue interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when such bonds shall have been executed and are available for delivery. The corporation may also provide for the replacement of any bonds which shall become mutilated or shall be destroyed or lost. Bonds may be issued under the provisions of this Act without obtaining the consent of any department, division, commission, board, bureau, or agency of the State, and without any other proceedings or the happening of any other conditions or things than those proceedings, conditions, or things which are specifically required by this Act.

Section 7. The corporation may provide by resolution for the issuance of refunding bonds for the purpose of refunding any bonds then outstanding which shall have been issued under the provisions of this Act, including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of redemption of such bonds, and, if deemed advisable by the corporation, for the additional purpose of constructing improvements, extensions or enlargement of the project or projects in connection with which the bonds to be refunded shall have been issued. The corporation is further authorized to provide by resolution for the issuance of its bonds for the combined purpose of (a) refunding any bonds then outstanding which shall have been issued under the provisions of this Act, including the payment of any redemption premium thereof and any interest accrued or to accrue to the date of redemption of such bonds, and (b) paying all or any part of the cost of any additional project or projects. The issuance of such bonds, the maturities and other details thereof, the rights of the holders thereof, and the rights, duties and obligations of the corporation in respect to the same, shall be governed by the provisions of this Act in so far as the same may be applicable.

Section 8. In the discretion of the corporation, any bonds issued under the provisions of this Act may be secured by a trust agreement by and between the corporation and a corporate trustee, which may be any trust company, or bank having the powers of a trust company, within or without the State. The trust agreement, or the resolution providing for the issuance of such bonds (subject to the provisions of Section 6 of this Act), may pledge or assign tolls, rentals, sales receipts, or other revenues to which the corporation's right then exists or which may thereafter come into existence, and the moneys derived therefrom, and the proceeds of such bonds; provided, however, that the trust agreement or resolution shall not convey or mortgage any project or any part thereof. Such trust agreement, or resolution providing for the issuance of bonds, may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including: Covenants setting forth the duties of the corporation in relation to the acquisition of property and the construction, improvement, maintenance, repair, operation, and insurance of the project or projects; the rates of tolls, rentals, sales receipts, and other revenues to be charged; the payment, security, or redemption of bonds, and the custody, safeguarding, and application of all moneys; and provisions for the employment of consulting engineers in connection with the construction or operation of such project or projects. It shall be lawful for any bank or trust company incorporated under the laws of this State which may act as depository of the proceeds of bonds or of revenues to furnish such indemnifying bonds or

to pledge such securities as may be required by the corporation. Any trust agreement or resolution may set forth the rights and remedies of the bondholders and of the trustee, and may restrict the individual rights of action by bondholders. In addition to the foregoing, any trust agreement or resolution may contain such other provisions as the corporation may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of any trust agreement may be treated as a part of the cost of the operation of the project or projects.

Any pledge of tolls, rentals, sale receipts, other revenues, or moneys made by the corporation shall be valid and binding from the time the pledge is made. The tolls, rentals, sale receipts, other revenues, or moneys so pledged and thereafter received by the corporation, except that part of the tolls, rentals, sales receipts, other revenues, or moneys which are necessary to maintain the project or projects in good operating condition, or to pay the reasonable operating expenses of the corporation, or any judgment rendered against it, shall immediately be subject to the lien of the pledge without any physical delivery thereof or further act; and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the corporation, irrespective of whether such parties have notice thereof. Neither the resolution nor any trust agreement by which a pledge is created need be filed or recorded except in the records of the corporation. If such trust agreement should be offered for record it shall be filed and recorded without the payment of the mortgage tax required by Article 2, Chapter 20, Title 51, Code of Alabama, 1940. The corporation may, in its discretion, enter into any supplement to such trust agreement, which supplement shall be governed, so far as may be, by the same provisions of this Act as are applicable to the trust agreement.

Section 9. Bonds issued by the corporation under the provisions of this Act are hereby made securities in which the State and all political subdivisions of this State, their officers, boards, commissions, departments, or other agencies; all banks, bankers, savings banks, trust companies, savings and loan associations, investment companies, and other persons carrying on a banking business; all insurance companies, insurance associations, and other persons carrying on an insurance business; and all administrators, executors, guardians, trustees and other fiduciaries; and all other persons whatsoever who now are or may hereafter be authorized to invest in bonds or other obligations of the State, may properly and legally invest any funds, including capital belonging to them or within their control. The bonds, or other securities or obligations, are hereby made securities which properly and legally may be deposited with, and received by, any State or municipal officer or agency of the State for any purpose for which the deposit of bonds or other obligations of the State is now or hereafter may be authorized by law.

Section 10. No bond or other obligation of such a corporation shall be deemed to be the obligation of or a claim against the State or a county thereof.

Section 11. All counties, cities, towns, and other political subdivisions; and all public departments, agencies, and commissions of the State of Alabama, notwithstanding any contrary provision of law, are hereby authorized and empowered to lease, lend, grant, or convey to the corporation at its request, upon such terms and conditions as the proper authorities of such counties, cities, towns, political subdivisions, and departments, agencies, or commissions of the State may deem reasonable and fair, and without the necessity for any advertisement, order of court or other action or formality, other than the regular and formal

action of the authorities concerned, any real property which may be necessary or convenient to the effectuation of the authorized purposes of the corporation, which real property may include public roads and other real property already devoted to public use.

Section 12. Before construction is started on any project, the corporation shall advertise for sealed bids once each week for three consecutive weeks in a newspaper of general circulation in the county in which the project or undertaking is to be located; the corporation may also advertise in such other publications as it may deem advisable. Such notices shall state that plans and specifications for the project are on file in the office of the corporation, and the time and place in which bids will be received and opened. All bids shall be opened publicly at the advertised time and place.

The contract shall be awarded to the lowest responsible bidder complying with the conditions of the invitations for bids, unless the corporation finds that his bid is unreasonable or that it is not to the interest of the corporation to accept it. The bidder to whom the award is made shall be notified by telegram or letter at the earliest possible date. Should the successful bidder fail or refuse to sign the contract or make bond, the corporation may award the contract to the second responsible bidder. Should the second lowest bidder fail or refuse to sign the contract or make bond, the authority may award the contract to the third lowest responsible bidder.

Should no bids be received at the time stated in the advertisement for bids, the corporation may advertise for and seek other competitive bids, or the corporation may direct that the work shall be done by negotiated contracts under its direction and control. If the corporation finds that all bids received are unreasonable and that it is not to the interest of the corporation to accept any of the bids the corporation may direct that the work shall be done by negotiated contracts under its direction and control. On any construction project which the corporation has determined to do by negotiated contract, the corporation shall file plans and specifications and an itemized estimate of cost with the Department of Examiners of Accounts, and upon completion of the project by the corporation, the final total cost, together with an itemized list of cost of any and all changes made in the original plans and specifications shall be submitted to the Department of Examiners of Public Accounts for its permanent record. Upon approval of the corporation, its duly authorized officer or officers may, when proceeding on the basis of negotiated contracts, let any subdivision or unit of work by contract on receiving sealed bids in accordance with this section. This section shall not apply to routine maintenance or repair jobs done by maintenance men who are regular employees of the corporation.

Section 13. Each project constructed or operated by such corporation shall be maintained and kept in good condition and repair.

Section 14. No officer of the corporation shall have any interest, directly or indirectly, in any contract awarded or to be awarded, or in the profit to be derived therefrom. The violation of this section shall constitute a misdemeanor, and upon conviction shall work a forfeiture of office, and shall be punishable by a fine not exceeding five hundred dollars (\$500), or by imprisonment in the county jail not exceeding six months, or both.

Section 15. The authorized agents and employees of the corporation may enter upon any lands, waters, and premises in this State for the purpose of making surveys, soundings, drillings and examinations as it may deem necessary or convenient for the purposes of this Act, and such entry shall not be deemed a trespass, nor shall an entry for such purpose be deemed an entry under any condemnation proceedings which

may be then pending. The corporation shall make reimbursement for any actual damages resulting to such lands, waters, and premises as a result of such activities.

Section 16. The exercise of the powers granted by this Act will be in all respects for the benefit of the people of the State, for the purpose of conserving natural resources, for the increase of commerce and prosperity and for the improvement of health and living conditions. Since the operation and maintenance of projects authorized by this Act will constitute the performance of essential functions, the corporation shall not be required to pay any taxes or assessments upon any project acquired or used by it under the provisions of this Act, nor upon the income therefrom, the bonds issued under the provisions of this Act or their transfer.

Section 17. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 18. All laws or parts of laws which conflict with this Act are repealed.

Section 19. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kaul	Nolen
Adams	Faulk	Kelly	Oakley
Albea	Ferrell	Kendall	Oden
Ashworth	Franklin	Killough	Payne
Bassett	Gilchrist	Kirkham	Perry
Boyd	Gist	Lackey	Pirkle
Bradford	Goodwyn	Law	Ramey
Brannan	Gregory	Lee (Barbour)	Reynolds
Branyon	Grouby	Lee (Lawrence)	Roberts
Brassell	Hall	Locke (Choctaw)	Selman
Brewer	Haltom	Locke (Perry)	Shumate
Broadfoot	Hanby	McClendon	Simon
Brooks	Hardy	McKay	Solomon
Brown (Lamar)	Hare	McLendon	Speaks
Burkhalter	Harrison	McNider	Steagall
Callahan	Harvey	Martin	Stembridge
Cox	Hawkins	Mathews	Stokes
Crook	Hodges	Meeks	Summerlin
Davis	Holliman	Mollette	Taylor
Dawkins	Huddleston	Money	Thomas
Dement	Hunt	Murphy	Tyson
DeSear	Jenkins	Nettles	Vacca
Dickson	Johnson (Elmore)	Nice	Wood
Edwards (Escambia)	Johnson (Tallahpoosa)		

And said bill, H. 62, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 5.

Yeas:

Mr. Speaker	Dickson	Johnson (Elmore)	Nolen
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Oakley
Albea	Edwards (Jefferson)	Kelly	Oden
Ashworth	Faulk	Kendall	Payne
Bassett	Ferrell	Killough	Pirkle
Boyd	Franklin	Kirkham	Reynolds
Bradford	Gilchrist	Lackey	Ramey
Brannan	Gist	Law	Roberts
Branyon	Goodwyn	Lee (Barbour)	Selman
Brassell	Gregory	Lee (Lawrence)	Shumate
Brewer	Grouby	Locke (Choctaw)	Simon
Broadfoot	Hall	Locke (Perry)	Solomon
Brooks	Hanby	McClendon	Speaks
Brown (Lamar)	Hare	McKay	Steagall
Burkhalter	Harrison	McLendon	Stokes
Callahan	Harvey	McNider	Summerlin
Cox	Hawkins	Martin	Taylor
Crook	Hodges	Mathews	Thomas
Davis	Holliman	Mollette	Tyson
Dawkins	Huddleston	Money	Vacca
Dement	Hunt	Murphy	Ward
DeSear	Jenkins	Nettles	Wood

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Nays: Messrs. deGraffenried, Haltom, Kaul, Perry and Richardson. —5**H. 230 POSTPONED**

On motion of Mr. Simon, consideration of the bill, H. 230, was postponed until the eleventh legislative day.

MOTION TO POSTPONE H. 4 LOST

The motion of Mr. Stokes to postpone consideration of the bill, H. 4, until the next legislative day was lost.

Yeas 40; Nays 47.

Yeas:

Messrs.	Faulk	Hare	Perry
Adams	Ferrell	Harrison	Pirkle
Albea	Gilchrist	Hunt	Pruitt
Ashworth	Gist	Johnson (Elmore)	Reynolds
Boyd	Goodwyn	Johnson (Tallapoosa)	Richardson
Bradford	Hain	McClendon	Roberts
Branyon	Hall	McKay	Steagall
Brewer	Haltom	McNider	Stokes
Cox	Hanby	Meeks	Vacca
deGraffenried	Hardy	Payne	Windle
Edwards (Jefferson)			

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Nays:

Mr. Speaker	Brown (Lamar)	Dawkins	Franklin
Bassett	Burkhalter	Dement	Gregory
Brassell	Callahan	DeSear	Grouby
Broadfoot	Crook	Dickson	Harvey
Brooks	Davis	Edwards (Escambia)	Hawkins

Hodges	Law	Nolen	Stembridge
Holliman	Lee (Barbour)	Oakley	Summerlin
Jenkins	Lee (Lawrence)	Oden	Taylor
Kelly	Love	Ramey	Thomas
Kendall	McLendon	Selman	Ward
Killough	Martin	Shumate	Wood
Kirkham	Nettles	Speaks	

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MOTION TO RECOMMIT H. 4 LOST

The motion of Mr. Nolen to lay on the table the motion of Mr. Stokes to recommit the bill, H. 4, was adopted.

And the bill:

H. 4 (with amendment). To provide for a jury trial in any proceeding at law or in equity for the purpose of establishing disputed land lines or boundaries between coterminous owners of land.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Judiciary Committee Amendment to H.B. No. 4:

Amend Section 1 of H. B. No. 4 by striking out the word "request" and inserting in lieu thereof the word "demand".

And the amendment was adopted.

Yeas 65; Nays 24.

Yeas:

Mr. Speaker	Dawkins	Johnson (Elmore)	Oden
Albea	deGraffenried	Kelly	Payne
Ashworth	Dement	Kendall	Pruitt
Bassett	Edwards (Escambia)	Kirkham	Ramey
Boyd	Franklin	Law	Reynolds
Bradford	Gist	Lee (Barbour)	Selman
Brannan	Gregory	Lee (Lawrence)	Shumate
Branyon	Grouby	Love	Simon
Brassell	Hall	McClendon	Speaks
Broadfoot	Hanby	McNider	Steagall
Brooks	Harrison	Martin	Summerlin
Brown (Lamar)	Hawkins	Mathews	Taylor
Burkhalter	Hodges	Money	Thomas
Callahan	Holliman	Nettles	Vacca
Cox	Hunt	Nolen	Ward
Crook	Jenkins	Oakley	Wood
Davis			

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Nays:

Messrs.	Haltom	Locke (Perry)	Pirkle
Adams	Hardy	McKay	Richardson
Brewer	Hare	Meeks	Roberts
Faulk	Huddleston	Molette	Stembridge
Gilchrist	Johnson (Tallapoosa)	Nice	Stokes
Goodwyn	Locke (Choctaw)	Perry	Windle
Hain			

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And said bill, H. 4, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 36.

Yeas:

Mr. Speaker	Crook	Jenkins	Payne
Albea	Davis	Johnson (Elmore)	Ramey
Ashworth	DeSear	Kelly	Selman
Bassett	Dickson	Kendall	Shumate
Boyd	Edwards (Escambia)	Killough	Simon
Brannan	Ferrell	Kirkham	Speaks
Branyon	Gist	Law	Steagall
Brassell	Gregory	Lee (Barbour)	Stembridge
Broadfoot	Hall	Lee (Lawrence)	Summerlin
Brooks	Hanby	Love	Taylor
Brown (Lamar)	Hawkins	Mathews	Thomas
Burkhalter	Hodges	Nettles	Vacca
Callahan	Holliman	Nolen	Wood
Cox	Hunt	Oakley	

—55

Nays:

Messrs.	Grouby	Locke (Perry)	Perry
Adams	Hain	McKay	Pirkle
Bradford	Haltom	McLendon	Pruitt
Brewer	Hardy	McNider	Reynolds
Dawkins	Hare	Martin	Richardson
deGraffenried	Harrison	Meeks	Roberts
Edwards (Jefferson)	Huddleston	Molette	Stokes
Faulk	Johnson (Tallapoosa)	Money	Ward
Gilchrist	Locke (Choctaw)	Nice	Windle
Goodwyn			

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MOTION TO RECOMMIT H. 11 LOST

The motion of Mr. Crook to lay on the table the motion of Mr. McKay to recommit the bill, H. 11, was adopted.

MOTION TO POSTPONE H. 11 ADOPTED

The motion of Mr. Crook to postpone consideration of the bill, H. 11, until the next legislative day was adopted.

And the bill:

H. 16. To amend an Act of the Legislature of Alabama approved September 11, 1953; (Acts of Alabama regular session, 1953, Vol. 2, Page 832). To re-divide the State into judicial circuits to create the thirty-second Judicial Circuit and to provide for a Circuit Judge and Circuit Solicitor of the newly created circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 12.

Yeas:

Mr. Speaker	Ashworth	Bradford	Brassell
Adams	Bassett	Brannan	Brewer
Albea	Boyd	Branyon	Broadfoot

Brooks	Goodwyn	Law	Selman
Brown (Lamar)	Gregory	Lee (Barbour)	Shumate
Burkhalter	Grouby	Lee (Lawrence)	Simon
Callahan	Hall	Love	Solomon
Davis	Haltom	McKay	Speaks
Dawkins	Hanby	McNider	Steagall
deGraffenried	Harrison	Martin	Stembridge
Dement	Hodges	Mathews	Stokes
Dickson	Holliman	Molette	Summerlin
Edwards (Escambia)	Huddleston	Murphy	Taylor
Edwards (Jefferson)	Hunt	Nolen	Thomas
Faulk	Johnson (Elmore)	Oden	Vacca
Ferrell	Kelly	Payne	Ward
Franklin	Kendall	Pirkle	Windle
Gilchrist	Killough	Reynolds	Wood
Gist	Lackey	Roberts	

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Nays:

Messrs.	Kaul	Locke (Perry)	Oakley
DeSear	Kirkham	McLendon	Perry
Hain	Locke (Choctaw)	Nettles	Richardson
Hare			

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And the bill:

H. 36. To amend Section 230 of Title 12 of the Code of Alabama of 1940, so as to prohibit the removal of the county seat or site of a county in any instance where a public corporation organized in such county under the provisions of Act No. 682 adopted at the 1951 Regular Session of the Legislature of Alabama then has outstanding any securities, including refunding securities, secured by a pledge of the rentals from a building leased by such corporation to such county and located in the city, town or village where the county seat of such county is then located.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	DeSear	Huddleston	Martin
Adams	Dickson	Hunt	Mathews
Albea	Edwards (Escambia)	Jenkins	Molette
Ashworth	Edwards (Jefferson)	Johnson (Elmore)	Money
Bassett	Faulk	Johnson (Tallapoosa)	Murphy
Boyd	Ferrell	Kelly	Nettles
Bradford	Franklin	Kendall	Oakley
Brannan	Gilchrist	Killough	Oden
Branyon	Gist	Kirkham	Payne
Brassell	Gregory	Lackey	Pirkle
Brewer	Grouby	Law	Pruitt
Broadfoot	Hain	Lee (Barbour)	Ramey
Brown (Lamar)	Hall	Lee (Lawrence)	Reynolds
Burkhalter	Haltom	Locke (Perry)	Richardson
Callahan	Hardy	Love	Roberts
Cox	Harrison	McClendon	Selman
Davis	Harvey	McKay	Simon
deGraffenried	Hodges	McLendon	Speaks
Dement	Holliman	McNider	Steagall

Stembridge
Stokes
Summerlin

Taylor
Thomas

Vacca
Ward

Windle
Wood

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RECESS

On motion of Mr. Thomas the House recessed until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:00 o'clock P. M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same to the House for its consideration:

By Mr. Lamberth:

S.J.R. 13. BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING: Because of the Birthday of a Great Southerner, Jefferson Davis, who so ably graced the halls of this Capitol as President of the Southern Confederacy, the State of Alabama has a legal holiday June 3rd.

I thereby move move that when we adjourn today we adjourn to meet again on Tuesday June 7th. It being the intent of the Senate that regular committee hearings will be held and attended on Wednesday June 1st and Thursday June 2nd.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 13 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H.J.R. 24. Relative to appointing a committee to visit Fire School at the University of Alabama campus Wednesday and Thursday, June 1 and 2, 1955.

Also:

H.J.R. 21. Relative to giving legislative approval to the admission of the states of Delaware and West Virginia into the Southern Regional Education Compact.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Lamberth:

S. 114. To make it a felony for any person other than a wholesaler, distributor, or dealer, or other person authorized by the Alcoholic Beverage Control Board, to have in his possession any unattached Alabama Revenue stamps, crowns, or lids used for the purpose of identifying alcoholic beverages sold or distributed under the provisions of Title 29 of the Code of Alabama (1940).

Also:

By Mr. Boutwell:

S. 112. To amend Section 6 (e) (1) of Act No. 48, H. B. 34, approved November 3, 1950 entitled "An Act To provide old-age and survivors insurance for certain officers and employees of the State and local governments and making appropriations therefor and to repeal Act No. 990 approved September 12, 1951."

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 114. Ways and Means.

S. 112. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 117. Proposing an amendment to the Constitution of Alabama relating to Lamar County, and ordering an election thereon.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H.J.R. 20. Relative to all state agencies being directed to word specifications with respect to lumber, etc. used in construction projects to provide fair competitive position for Alabama forest products.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

H. 86 RECOMMITTED

The motion of Mr. Branyon to recommit the bill, H. 86, was adopted. And the Speaker recommitted the bill, H. 86, to the Standing Committee on Ways and Means.

BILLS ON THIRD READING RESUMED

H. 37 POSTPONED

On motion of Mr. Oden, consideration of the bill, H. 37, was postponed until the eleventh legislative day.

And the bill:

H. 95 (with amendment). To prohibit any bank, or any officer, agent or director thereof, from establishing a branch or office for the transaction of the banking business other than at the principal place of business of such bank, in any county, notwithstanding the provisions of any general laws of local application, and providing that this action shall not apply in counties where the same is now authorized by law.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Judiciary Committee Amendment to H. B. No. 95:

Amend H. B. No. 95 by adding at the end of Section II thereof the following:

"Provided, further, that the provisions of this Act shall not apply to any county with a population of 200,000 or more according to the last or any subsequent decennial census."

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Faulk	Johnson (Tallapoosa)	Oden
Adams	Ferrell	Kelly	Payne
Albea	Franklin	Kendall	Perry
Ashworth	Gilchrist	Lackey	Pirkle
Boyd	Gist	Law	Ramey
Bradford	Goodwyn	Lee (Barbour)	Reynolds
Brannan	Gregory	Lee (Lawrence)	Richardson
Branyon	Grouby	Locke (Choctaw)	Roberts
Brassell	Hain	Love	Selman
Brewer	Hall	McClendon	Shumate
Broadfoot	Haltom	McKay	Simon
Brown (Lamar)	Hanby	McLendon	Solomon
Burkhalter	Hardy	McNider	Speaks
Callahan	Hare	Martin	Stembridge
Crook	Harrison	Mathews	Summerlin
Dawkins	Harvey	Meeks	Taylor
deGraffenried	Hawkins	Molette	Thomas
Dement	Hodges	Money	Tyson
DeSear	Holliman	Murphy	Vacca
Dickson	Hunt	Nettles	Windle
Edwards (Escambia)	Jenkins	Nolen	Wood
Edwards (Jefferson)	Johnson (Elmore)	Oakley	

And said bill, H. 95, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 4.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Johnson (Elmore)	Oden
Adams	Faulk	Johnson (Tallapoosa)	Payne
Albea	Ferrell	Kendall	Pirkle
Ashworth	Franklin	Lackey	Ramey
Boyd	Gilchrist	Law	Reynolds
Bradford	Goodwyn	Lee (Barbour)	Richardson
Brannan	Gregory	Lee (Lawrence)	Roberts
Branyon	Grouby	Locke (Choctaw)	Selman
Brassell	Hain	Love	Shumate
Brewer	Hall	McClendon	Simon
Broadfoot	Haltom	McKay	Solomon
Brown (Lamar)	Hanby	McLendon	Speaks
Burkhalter	Hardy	McNider	Stembridge
Callahan	Hare	Martin	Taylor
Crook	Harrison	Mathews	Thomas
Dawkins	Harvey	Meeks	Tyson
deGraffenried	Hawkins	Molette	Vacca
Dement	Hodges	Money	Ward
DeSear	Holliman	Murphy	Windle
Dickson	Hunt	Nolen	Wood
Edwards (Escambia)	Jenkins		

—82

Nays: Messrs. Gist, Kelly, Nettles and Oakley.

—4

COMMITTEE APPOINTMENT

Under the terms of House Joint Resolution No. 24, Mr. Hawkins, Chairman of the Ways and Means Committee appointed as the committee members from the Ways and Means Committee the following: Messrs. deGraffenried, Meeks, Lee (Barbour), Davis and Ward.

BILLS ON THIRD READING RESUMED

H. 121. Relating to civil remedies and procedure: To abrogate the common law rule that contributory negligence is a complete defense for the negligent act or omission of the defendant, and substitute therefor the comparative negligence rule.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 27.

Yeas:

Mr. Speaker	Callahan	Hare	Locke (Choctaw)
Albea	Davis	Hawkins	Love
Ashworth	deGraffenried	Hodges	McClendon
Bassett	Dement	Holliman	McNider
Boyd	Dickson	Hunt	Martin
Bradford	Edwards (Escambia)	Johnson (Elmore)	Mathews
Branyon	Ferrell	Kelly	Meeks
Brassell	Franklin	Kendall	Molette
Broadfoot	Gilchrist	Law	Money
Brown (Lamar)	Goodwyn	Lee (Barbour)	Murphy
Burkhalter	Grouby	Lee (Lawrence)	Nice

Nolen	Shumate	Steagall	Tyson
Oden	Simon	Stembridge	Ward
Ramey	Solomon	Taylor	Windle
Roberts	Speaks	Thomas	Wood
Selman			

—61

Nays:

Messrs.	Gregory	Jenkins	Payne
Adams	Hall	Johnson (Tallapoosa)	Perry
Brewer	Haltom	Kaul	Pirkle
Brown (Lee)	Hanby	Killough	Pruitt
Dawkins	Hardy	McKay	Richardson
DeSear	Harrison	McLendon	Stokes
Edwards (Jefferson)	Harvey	Oakley	Vacca

—27

And the bill:

H. 151. To amend further Section 184, Title 39, Code 1940, which relates to Sundays and legal holidays.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kaul	Oakley
Adams	Faulk	Kelly	Oden
Albea	Ferrell	Killough	Payne
Ashworth	Franklin	Lackey	Perry
Bassett	Gilchrist	Law	Pirkle
Boyd	Gist	Lee (Barbour)	Pruitt
Bradford	Goodwyn	Lee (Lawrence)	Ramey
Brannan	Gregory	Locke (Choctaw)	Reynolds
Branyon	Grouby	Locke (Perry)	Roberts
Brassell	Hain	Love	Selman
Brewer	Hall	McClendon	Shumate
Broadfoot	Haltom	McKay	Simon
Brown (Lamar)	Hanby	McLendon	Speaks
Brown (Lee)	Hardy	McNider	Steagall
Burkhalter	Hare	Martin	Stembridge
Callahan	Harrison	Mathews	Summerlin
Crook	Harvey	Meeks	Taylor
Davis	Hodges	Molette	Thomas
Dawkins	Holliman	Money	Tyson
deGraffenried	Hunt	Murphy	Vacca
Dement	Jenkins	Nettles	Ward
DeSear	Johnson (Elmore)	Nice	Windle
Dickson	Johnson (Tallapoosa)	Nolen	Wood
Edwards (Escambia)			

—93

And the bill:

H. 159. To amend Section 9 of Title 30, Code of Alabama (1940), which relates to the membership of jury commissions.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 7.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Tallapoosa)	Perry
Adams	Edwards (Jefferson)	Kaul	Pirkle
Albea	Ferrell	Kelly	Ramey
Ashworth	Franklin	Lackey	Reynolds
Bassett	Gilchrist	Law	Roberts
Boyd	Goodwyn	Lee (Barbour)	Selman
Brannan	Gregory	Lee (Lawrence)	Shumate
Branyon	Grouby	Locke (Choctaw)	Simon
Brassell	Hain	McClendon	Speaks
Brewer	Hall	McLendon	Steagall
Broadfoot	Halton	McNider	Stembridge
Brown (Lamar)	Hanby	Martin	Stokes
Brown (Lee)	Hare	Mathews	Summerlin
Burkhalter	Harrison	Meeks	Taylor
Callahan	Harvey	Molette	Thomas
Crook	Hodges	Money	Tyson
Davis	Holliman	Murphy	Vacca
Dawkins	Hunt	Nice	Ward
deGraffenried	Jenkins	Nolen	Windle
Dement	Johnson (Elmore)	Oden	Wood
DeSear			

—81

Nays:

Messrs.	Kendall	McKay	Oakley
Bradford	Locke (Perry)	Nettles	Payne

—7

And the bill:

H. 184. To amend further Section 99 of Title 21, Code of Alabama (1940), as amended, which relates to the discharge of debt owed to certain minors or persons of unsound mind by payment into the probate court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 2.

Yeas:

Mr. Speaker	Dawkins	Hanby	Lee (Barbour)
Adams	deGraffenried	Hardy	Lee (Lawrence)
Albea	Dement	Hare	Locke (Choctaw)
Ashworth	DeSear	Harrison	Locke (Perry)
Bassett	Dickson	Harvey	Love
Boyd	Edwards (Escambia)	Hodges	McClendon
Bradford	Edwards (Jefferson)	Holliman	McKay
Brannan	Faulk	Hunt	McLendon
Branyon	Ferrell	Jenkins	McNider
Brassell	Franklin	Johnson (Elmore)	Martin
Brewer	Gilchrist	Johnson (Tallapoosa)	Mathews
Broadfoot	Gist	Kaul	Meeks
Brown (Lamar)	Goodwyn	Kelly	Molette
Brown (Lee)	Gregory	Kendall	Money
Burkhalter	Grouby	Kirkham	Murphy
Callahan	Hain	Lackey	Nettles
Crook	Hall	Law	Nolen

Oakley	Ramey	Speaks	Thomas
Oden	Reynolds	Steagall	Tyson
Payne	Roberts	Stembridge	Vacca
Perry	Selman	Stokes	Ward
Pirkle	Simon	Summerlin	Windle
Pruitt	Solomon	Taylor	Wood

—92

Nays: Messrs. Haltom and Richardson.

—2

And the bill:

H. 195. To make it unlawful to throw lighted matches, cigarettes, cigars, or other burning material from vehicles on the highways, roads and railroad rights of ways of this State; to make it unlawful to discard or throw lighted matches, cigarettes, cigars, or other burning material on forest lands, grass lands or farm lands on which crops are growing, of this State; and, to provide a penalty therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 2.

Yeas:

Mr. Speaker	Franklin	Law	Pirkle
Albea	Gilchrist	Lee (Barbour)	Pruitt
Ashworth	Gist	Lee (Lawrence)	Ramey
Bassett	Goodwyn	Locke (Choctaw)	Reynolds
Boyd	Grouby	Locke (Perry)	Richardson
Bradford	Hain	McClendon	Roberts
Brannan	Hall	McKay	Selman
Branyon	Haltom	McLendon	Shumate
Brewer	Hanby	McNider	Simon
Brown (Lamar)	Hardy	Martin	Solomon
Burkhalter	Hare	Mathews	Speaks
Callahan	Harrison	Meeks	Steagall
Crook	Hodges	Molette	Stembridge
Davis	Holliman	Money	Stokes
Dawkins	Hunt	Murphy	Summerlin
deGraffenried	Jenkins	Nettles	Taylor
Dement	Johnson (Elmore)	Nolen	Thomas
Dawkins	Kaul	Oakley	Vacca
Edwards (Escambia)	Kelly	Oden	Ward
Edwards (Jefferson)	Kendall	Payne	Windle
Faulk	Killough	Perry	Wood
Ferrell	Lackey		

—86

Nays: Messrs. Gregory and Johnson (Tallapoosa).

—2

And the bill:

H. 185. To amend Section 799 of Title 7, Code of Alabama (1940), which exempts certain women from the requirement to give security for the costs of appeal in certain cases.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Ashworth	Bradford	Brassell
Adams	Bassett	Brannan	Brewer
Albea	Boyd	Branyon	Broadfoot

Brown (Lamar)	Haltom	Locke (Perry)	Pruitt
Burkhalter	Hanby	Love	Ramey
Callahan	Hardy	McClendon	Reynolds
Dawkins	Harrison	McKay	Richardson
deGraffenried	Harvey	McLendon	Roberts
Dement	Hodges	McNider	Selman
DeSear	Holliman	Martin	Shumate
Dickson	Hunt	Mathews	Simon
Edwards (Escambia)	Jenkins	Meeks	Speaks
Edwards (Jefferson)	Johnson (Elmore)	Molette	Steagall
Faulk	Johnson (Tallapoosa)	Money	Stembridge
Ferrell	Kaul	Murphy	Stokes
Franklin	Kelly	Nettles	Summerlin
Gilchrist	Kendall	Nice	Taylor
Gist	Killough	Nolen	Thomas
Goodwyn	Lackey	Oakley	Tyson
Gregory	Law	Oden	Vacca
Grouby	Lee (Barbour)	Payne	Ward
Hain	Lee (Lawrence)	Perry	Windle
Hall	Locke (Choctaw)	Pirkle	Wood

—92

And the bill:

H. 234 (with substitute): To amend Sections 94 to 101, inclusive, of Title 10 of the Code of Alabama of 1940, as heretofore amended, so as to make more specific provision for the consolidation or merger of two or more domestic corporations and of two or more domestic and foreign corporations and to provide for the transfer of the rights and properties of consolidating and merging foreign corporations to the resultant corporation.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

SUBSTITUTE FOR HOUSE BILL NO. 234

A BILL TO BE ENTITLED AN ACT

To amend Sections 94 to 101, inclusive, of Title 10 of the Code of Alabama of 1940, as heretofore amended, so as to make more specific provision for the consolidation or merger of two or more domestic corporations and of two or more domestic and freign corporation, to make more specific provision for the rights of dissenting stockholders in consolidating or merging domestic corporations, and to provide for the transfer of the rights and properties of consolidating and merging foreign corporations to the resultant corporation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 94 of Title 10 of the Code of Alabama of 1940 is hereby amended to read as follows:

"Section 94. Consolidation and merger of domestic corporations. Subject to the limitations of Section 239 of the Constitution of Alabama and of subdivision (11) of Section 70 of this title, any two or more corporations organized or existing under the laws of this state for the purpose of carrying on any kind of business may consolidate or merge into a single corporation. The constituent corporations may consoli-

date to form a new corporation which will be a corporation of this state, or they may merge into a single corporation, which may be any one of said constituent corporations. It shall be stated in the agreement hereinafter required whether said constituent corporations are to consolidate to form a new corporation or whether they are to merge into a single corporation. To effect such consolidation or merger, the directors of the several corporations proposing to consolidate or merge shall enter into a joint agreement under the corporate seals of the consolidating or merging corporations prescribing the terms and conditions thereof and the mode of carrying the same into effect, and stating (a) the name and principal place of business in this state of the corporation resulting from or surviving such consolidation or merger, (b) the number, names and post office addresses of the first directors and officers of the corporation resulting from or surviving such consolidation or merger, (c) the total number of shares of stock that the corporation resulting from or surviving such consolidation or merger shall have authority to issue, together with the par value of each share thereof (if any such stock is to be without par value, that fact should be stated), and, if there be more than one class of stock that such corporation shall have authority to issue, a description of each such different class of stock, the terms on which it is created and the par value of each share thereof, (d) the number of shares of each class of stock with which the corporation resulting from or surviving such consolidation or merger will begin business, (e) the manner and terms of converting the capital stock of each of the consolidating or merging corporations into cash, stock or obligations of the corporation resulting from or surviving such consolidation or merger or into a combination of two or more thereof, (f) how and when the directors and officers of the corporation resulting from or surviving such consolidation or merger shall be chosen, and (g) such other provisions and details as the directors of the several consolidating or merging corporations may deem necessary to perfect such consolidation or merger. Such agreement shall then be submitted to the stockholders of each of the several consolidating or merging corporations separately at a meeting to be called by the directors thereof for the purpose of considering the same. At such meeting, a vote of the stockholders of each such corporation shall be taken separately for the adoption or rejection of such agreement, each share of stock entitling the holder to one vote. If the votes of the holders of two-thirds in value of the stock of each of the consolidating or merging corporations voting at said meeting in person or by proxy shall be for the adoption of such agreement, that fact shall be certified by the secretaries of the consolidating or merging corporations under the respective corporate seals of such corporations and the agreement so adopted shall be filed and recorded in the office of the Secretary of State. A copy of said agreement of consolidation or merger, duly certified by the Secretary of State, shall be evidence of the existence of the corporation resulting from or surviving such consolidation or merger. Upon said certification and the filing of said agreement in the office of the Secretary of State, the several consolidating or merging corporations shall be one corporation under the name provided in said agreement."

Section 2. Section 95 of Title 10 of the Code of Alabama of 1940, as heretofore amended, is hereby amended to read as follows:

"Section 95. Consolidation and merger of domestic and foreign corporations. (a) Subject to the limitations of Section 239 of the Constitution of Alabama and of subdivision (11) of Section 70 of this title, any one or more corporations organized or existing under the laws of this state for the purpose of carrying on any kind of business may consolidate or merge with any one or more other corporations organized under the laws of any other state or states of the United States of

America (irrespective of whether or not such other corporation or corporations are qualified to do business in this state at the time of such consolidation or merger), if the laws under which such other corporation or corporations are organized shall permit such consolidation or merger. The constituent corporations may consolidate to form a new corporation, which may be a corporation of the state of incorporation of any one of said constituent corporations, or they may merge into a single corporation, which may be any one of said constituent corporations, irrespective of whether it be one organized or existing under the laws of this state or one organized under the laws of another state. It shall be stated in the agreement hereafter required whether said constituent corporations are to consolidate to form a new corporation or are to merge into a single corporation; in either event the state pursuant to the laws of which the corporation resulting from or surviving such consolidation or merger is to be governed shall also be stated in such agreement. To effect such a consolidation or merger, the directors of the several corporations proposing to consolidate or merge shall enter into a joint agreement under the corporate seals of the consolidating or merging corporations prescribing the terms and conditions thereof and the mode of carrying the same into effect, and stating (i) the manner and terms of converting the capital stock of each of the consolidating or merging corporations into cash, stock or obligations of the corporation resulting from or surviving such consolidation or merger or into a combination of any two or more thereof, (ii) in the event that the corporation resulting from or surviving such consolidation or merger is or is to be a corporation of this state, such other facts and details as are required by the terms of the preceding Section 94 of this title to be stated in a joint agreement of consolidation or merger between or among the directors of two or more corporations of this state, (iii) in the event that the corporation resulting from or surviving such consolidation or merger is or is to be a corporation of a state other than this state, such other facts and details as are then required by the laws of such other state to be set forth in certificates of incorporation of business corporations organized under the laws of such other state that can properly be stated in the case of a consolidation or merger, and (iv) such other provisions and details as the directors of the several consolidating or merging corporations may deem necessary to perfect such consolidation or merger. To become effective, such agreement shall be signed, acknowledged, authorized, adopted and approved on behalf of each of the consolidating or merging corporations in accordance with the laws of the state under which it is organized and, in the case of a corporation organized or existing under the laws of this state, in accordance with and in the manner provided by Section 94 of this title. After the final adoption of such agreement on behalf of all of the consolidating or merging corporations as aforesaid, an executed copy thereof, together with a certificate executed by the secretary of each of the consolidating or merging corporations under their respective corporate seals stating the fact of such adoption and showing the manner thereof, shall be filed in the office of the Secretary of State. A copy of such agreement, when duly certified by the Secretary of State, shall be evidence of the existence of the corporation resulting from or surviving such consolidation or merger. Upon the filing of said agreement and certificates in the office of the Secretary of State, the several consolidating or merging corporations shall, for all purposes of the laws of this state, be one corporation under the name provided in said agreement.

(b) If the corporation resulting from or surviving a consolidation or merger effected under the authority of this section is or is to be a corporation of any state other than this state, it shall be deemed to

have agreed that it may be served with process in this state in any proceeding for enforcement of any obligation of any of the consolidating or merging corporations that were organized or existed under the laws of this state, as well as for the enforcement of any of its obligations arising from such consolidation or merger, including any suit or other proceeding to enforce the rights of any stockholder as determined in appraisal proceedings pursuant to the provisions of Section 100 of this title. Such corporation, which shall be deemed to have irrevocably appointed the Secretary of State as its agent to accept service of process in any such suit or proceeding, shall designate in writing to the Secretary of State the address to which a copy of such process shall be mailed by the Secretary of State. Service of such process shall be made by personally delivering to and leaving with the Secretary of State duplicate copies thereof. The Secretary of State shall forthwith send by registered mail one of such copies to the corporation resulting from or surviving such consolidation or merger at its address so designated, unless such corporation shall thereafter have designated in writing to the Secretary of State a different address for such purpose, in which event such process shall be mailed to the last address so designated."

Section 3. Section 96 of Title 10 of the Code of Alabama of 1940 is hereby amended to read as follows:

"Section 96. Fees for consolidation or merger of corporations. Upon the filing in the office of the Secretary of State of the copy of agreement of directors and certificate or certificates of secretaries for consolidation or merger of corporations as provided by the preceding Sections 94 and 95 of this title, there shall be paid to the Secretary of State by the person presenting such agreement and certificate or certificates for filing, for the use of the state, one dollar for every one thousand dollars of the proposed capital stock of the corporation resulting from or surviving such consolidation or merger that is in excess of the aggregate sum of the capital stocks of all the constituent consolidating or merging corporations. No such agreement or certificate shall be filed by the Secretary of State until such fee on the increase of the sum of such capital stocks is paid; but in any such consolidation or merger a fee of not less than ten dollars shall be paid the Secretary of State."

Section 4. Section 97 of Title 10 of the Code of Alabama of 1940 is hereby amended to read as follows:

"Section 97. Powers, duties and liabilities of. Any corporation resulting from or surviving any consolidation or merger effected pursuant to the authority of Section 94 or Section 95 of this title shall possess all the rights, powers and privileges, and shall be subject to all the restrictions, disabilities and duties, of each of the consolidating or merging corporations, unless the powers possessed by such consolidating or merging corporations are limited or restricted by said agreement; provided however, that a corporation resulting from or surviving any consolidation or merger effected pursuant to the authority of Section 95 of this title that is a corporation of a state other than this state and that is not at the time of said consolidation or merger qualified to do business in this state as a foreign corporation shall not thereafter do any business in this state without first qualifying to do business in this state as a foreign corporation in the manner provided by the laws of this state. Nothing contained in this section shall be construed as prohibiting the specification, in an agreement of consolidation or merger adopted under the authority of this chapter, of additional powers upon, and the exercise of such powers by, the corporation resulting from or surviving such consolidation or merger; provided however,

that no powers inconsistent with the provisions of this title shall be so specified in an agreement of consolidation or merger between or among two or more domestic corporations, or in an agreement of consolidation or merger between or among two or more domestic and foreign corporations in the event the corporation resulting from or surviving such consolidation or merger is or is to be a domestic corporation."

Section 5. Section 98 of Title 10 of the Code of Alabama of 1940 is hereby amended to read as follows:

"Section 98. Rights, privileges, powers, franchises and property vested in consolidated or merged corporations. Upon the consummation of any consolidation or merger effected pursuant to the authority of Section 94 or Section 95 of this title, all and singular, the rights, privileges, powers, franchises, and all property, real, personal or mixed, and all debts due on any account, as well as for stock subscriptions, and all other things in action belonging to each of the several consolidating or merging corporations shall be vested in the corporation resulting from or surviving such consolidation or merger; and all property, rights, privileges, powers and franchises, and all and every other interest shall thereafter be as effectually the property of the corporation resulting from or surviving such consolidation or merger as they were of the respective constituent corporations, and the title to any real estate by deed or otherwise under the laws of this state vested in any of said constituent corporations shall vest in the corporation resulting from or surviving such consolidation or merger and shall not in any way be impaired by reason of such consolidation or merger. The provisions of this section shall also apply in the case of any consolidation or merger of two or more foreign corporations; provided however, that a foreign corporation resulting from or surviving any consolidation or merger of two or more foreign corporations that is not at the time of such consolidation or merger qualified to do business in this state as a foreign corporation shall not thereafter do any business in this state without first qualifying to do business in this state in the manner provided by the laws of this state."

Section 6. Section 99 of Title 10 of the Code of Alabama of 1940 is hereby amended to read as follows:

"Section 99. Rights of creditors and liens preserved. Rights of creditors and all liens upon the property of any corporations consolidating or merging pursuant to the authority of Section 94 or Section 95 of this title shall be preserved unimpaired; and all debts, liabilities and duties of each of said consolidating or merging corporations shall thenceforth attach to the corporation resulting from or surviving such consolidation or merger. Within ten days after the filing in the office extent as if said debts, duties and liabilities had been incurred or contracted by it."

Section 7. Section 100 of Title 10 of the Code of Alabama of 1940 is hereby amended to read as follows:

"Section 100. Proceedings in case any stockholder dissents from consolidation or merger. Within ten days after the filing in the office of the Secretary of State of any agreement of consolidation or merger provided for in Section 94 or Section 95 of this title, the corporation resulting from or surviving such consolidation or merger shall notify by registered mail each of the stockholders of the consolidating or merging corporations that were organized or existed under the laws of this state (which, in the case of a consolidation or merger effected pursuant to the authority of Section 94 of this title, will be all such con-

solidating or merging corporations) who did not vote, in person or by proxy, in favor of the adoption of such agreement of consolidation or merger that (a) the stockholders of such corporation did, at the meeting thereof called to consider the adoption or rejection of such agreement, vote in favor of the adoption thereof, (b) such agreement of consolidation or merger has been duly adopted on the part of each of the other consolidating or merging corporations, and (c) such agreement of consolidation or merger has been filed in the office of the Secretary of State and has become effective under the laws of this state. Such notice shall also state the date on which such agreement of consolidation or merger was filed in the office of the Secretary of State. If any stockholder in any of the consolidating or merging corporations that were organized or existed under the laws of this state who did not vote, in person or by proxy, in favor of such consolidation or merger shall dissent therefrom and shall fail to convert or dispose of his stock in such consolidating or merging corporation in the manner and on the terms specified in the agreement of consolidation or merger, he shall, within thirty days after the date of filing in the office of the Secretary of State of such agreement of consolidation or merger, notify in writing the corporation resulting from or surviving such consolidation or merger of his dissent therefrom and his election to demand to be paid the market value of his stock in such consolidating or merging domestic corporation. Within twenty days after receipt of such notice by the corporation resulting from or surviving such consolidation or merger, it shall pay to such dissenting stockholder the market value of his stock. If, at the end of the said period of twenty days, such corporation and such dissenting stockholder have failed to agree as to the market value of such stock, then such corporation or such stockholder may file a petition for the appointment of three disinterested appraisers to appraise the market value of such stock. Such petition shall be filed in the probate court of that county in which the principal office of the domestic corporation, the market value of whose stock is in dispute, was located at the time of such consolidation or merger and shall be filed within ten days after the expiration of the aforesaid twenty-day period. Thereafter, such court shall, after giving such reasonable notice as may be prescribed by it to (i) such dissenting stockholder, in the event that such petition was filed by the corporation resulting from or surviving such consolidation or merger, or (ii) such corporation, in the event that such petition was filed by such dissenting stockholder, appoint three disinterested appraisers to appraise the market value of such stock. Such appraisers shall take an oath fairly and impartially to appraise the market value of such stock without regard to any appreciation or depreciation thereof by reason of such consolidation or merger, and shall within fifteen days from their appointment make and return to the court their appraisal thereof. Such appraisal shall not be subject to confirmation by the court until the expiration of ten days from the day it is returned into court. If during said ten-day period no contest of such appraisal is filed, or if upon the hearing of any such contest, the court is satisfied that such appraisal represents the market value of the stock of such dissenting stockholder, it shall enter an order confirming said appraisal. If, upon the hearing of any such contest, the court is satisfied that the appraisal so returned is not the market value of such stock, it shall set aside such appraisal and shall enter an order for the amount which, from the evidence, it determines is the market value thereof. Any order of the probate court confirming an appraisal or setting aside an appraisal and determining a different amount therefrom as the market value of such stock shall be final and conclusive on all parties unless within twelve days after such order is entered an appeal is taken to the circuit court of the aforesaid county or to such other court in said county exercising like jurisdiction.

Upon the filing by either party with the probate court of a notice of appeal from such order, such probate court must certify all proceedings and the appraisement to such circuit court or to such other court to which such appeal was taken. In such circuit court or other court to which such appeal was taken an issue must be made up under the direction of such court and the cause tried as other causes are tried in such court. If no appeal is taken from the order of the probate court within the aforesaid twelve-day period and the market value of the stock so ascertained shall not be paid to such dissenting stockholder within thirty days from the date of entry of such order by the probate court, such order shall be a judgment for the amount thereof against the corporation resulting from or surviving such consolidation or merger and may be collected as other judgments are collectable by law. **The rights of the creditors of the several consolidating or merging corporations in and upon the assets and property formerly respectively owned by such corporations shall not be impaired or affected by the award or judgment obtained by any dissenting stockholder under the authority of this section."**

Section 8. Section 101 of Title 10 of the Code of Alabama of 1940 is hereby amended to read as follows:

"Section 101. Authority of consolidated or merged corporations to issue bonds, etc. Any corporation resulting from or surviving a consolidation or merger effected under the authority of Section 94 of this title and any corporation resulting from or surviving a consolidation or merger effected under the authority of Section 95 of this title, if such corporation resulting from or surviving a consolidation or merger effected under the authority of said Section 95 is a corporation of this state, shall have power and authority to issue bonds and other obligations to an amount which, together with its capital stock, will be sufficient to provide for all payments it will be required to make or obligations it will be required to assume in order to effect such consolidation or merger; and to secure the payment of such bonds or obligations it may lawfully mortgage its corporate franchises, rights, privileges and property, real, personal and mixed, and may issue capital stock, common or preferred, or both, to such amount as shall be necessary, to the stockholders of the consolidating or merging corporations in exchange or payment for their shares in such corporations, in the manner and on the terms specified in the agreement of consolidation or merger."

Section 9. This act shall take effect immediately upon its approval by the Governor or its otherwise becoming a law.

And the substitute was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Callahan	Gregory	Johnson (Elmore)
Adams	Cox	Grouby	Johnson (Tallapoosa)
Ashworth	Crook	Hain	Kaul
Bassett	Dawkins	Hall	Kelly
Boyd	deGraffenried	Haltom	Kendall
Bradford	Dement	Hanby	Killough
Brannan	Edwards (Escambia)	Hardy	Kirkham
Branyon	Edwards (Jefferson)	Hare	Lackey
Brassell	Faulk	Harrison	Law
Brewer	Ferrell	Hodges	Lee (Barbour)
Broadfoot	Franklin	Holliman	Lee (Lawrence)
Brown (Lamar)	Gilchrist	Hunt	Locke (Choctaw)
Burkhalter	Gist	Jenkins	McClendon

McKay	Nettles	Roberts	Stokes
McLendon	Nolen	Selman	Summerlin
McNider	Oakley	Shumate	Taylor
Martin	Oden	Simon	Thomas
Mathews	Payne	Solomon	Tyson
Meeks	Pirkle	Speaks	Vacca
Molette	Ramey	Steagall	Ward
Money	Reynolds	Stembridge	Wood
Murphy			

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And said bill, H. 234, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Lackey	Payne
Adams	Faulk	Law	Pirkle
Albea	Ferrell	Lee (Barbour)	Ramey
Ashworth	Franklin	Lee (Lawrence)	Reynolds
Bassett	Gilchrist	Locke (Choctaw)	Roberts
Boyd	Gist	Love	Selman
Bradford	Grouby	McClendon	Shumate
Branyon	Hall	McKay	Simon
Brassell	Hanby	McLendon	Solomon
Brewer	Hardy	McNider	Speaks
Broadfoot	Hare	Martin	Steagall
Brown (Lamar)	Hodges	Mathews	Stembridge
Burkhalter	Holliman	Molette	Stokes
Callahan	Johnson (Elmore)	Money	Summerlin
Cox	Johnson (Tallapoosa)	Murphy	Thomas
Crook	Kelly	Nettles	Vacca
Davis	Kendall	Nolen	Ward
Dement	Killough	Oakley	Windle
Edwards (Escambia)	Kirkham	Oden	Wood

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And the bill:

H. 160. To amend Section 566, Title 51, Code of Alabama 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Callahan	Franklin	Harrison
Adams	Cox	Gilchrist	Harvey
Albea	Crook	Gist	Hodges
Ashworth	Davis	Goodwyn	Holliman
Bassett	Dawkins	Gregory	Hunt
Boyd	deGraffenried	Grouby	Johnson (Elmore)
Bradford	Dement	Hain	Johnson (Tallapoosa)
Brannan	DeSear	Hall	Killough
Branyon	Edwards (Escambia)	Haltom	Kirkham
Brewer	Edwards (Jefferson)	Hanby	Lackey
Broadfoot	Faulk	Hardy	Law
Brown (Lamar)	Ferrell	Hare	Lee (Barbour)
Burkhalter			

Lee (Lawrence)	Martin	Reynolds	Summerlin
Locke (Choctaw)	Molette	Shumate	Taylor
Locke (Perry)	Money	Simon	Thomas
Love	Nolen	Solomon	Tyson
McClendon	Oden	Speaks	Vacca
McKay	Payne	Steagall	Ward
McLendon	Pirkle	Stembridge	Windle
McNider	Ramey	Stokes	Wood

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And the bill:

S. 65. To provide for civil defense upon the occurrence of disasters or emergencies: Creating and establishing within the executive branch of the State Government a department of Civil Defense and authorizing the creation of local organizations for civil defense in the political subdivisions of the State; conferring upon the Governor and upon governing bodies of political subdivisions emergency powers with respect to civil defense; providing for the rendering of mutual aid among political subdivisions, and with other States, and with the Federal Government; ratifying and confirming all mutual interstate aid agreements and pacts heretofore entered into between the State of Alabama and other States of the United States; authorizing the establishment of such organizations and the taking of such steps as are necessary and appropriate to carry out the provisions of this Act; imposing penalties for violations of the Act or any rule, order or regulation made pursuant to the Act; and making an appropriation.

Was read a third time at length and passed.

Yeas 88; Nays 1.

Yeas:

Mr. Speaker	DeSear	Johnson (Elmore)	Oakley
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Oden
Albea	Edwards (Jefferson)	Kaul	Payne
Ashworth	Faulk	Kelly	Perry
Bassett	Ferrell	Kendall	Pirkle
Boyd	Franklin	Killough	Ramey
Bradford	Gilchrist	Kirkham	Reynolds
Brannan	Gist	Law	Roberts
Branyon	Goodwyn	Lee (Barbour)	Selman
Brassell	Gregory	Lee (Lawrence)	Simon
Brewer	Grouby	Locke (Choctaw)	Solomon
Broadfoot	Hall	Locke (Perry)	Speaks
Brown (Lamar)	Haltom	Love	Steagall
Brown (Lee)	Hanby	McClendon	Stembridge
Burkhalter	Hardy	McKay	Stokes
Callahan	Hare	McLendon	Summerlin
Cox	Harvey	McNider	Thomas
Crook	Hawkins	Martin	Tyson
Davis	Hodges	Mathews	Vacca
Dawkins	Holliman	Money	Ward
deGraffenried	Hunt	Murphy	Windle
Dement	Jenkins	Nolen	Wood

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Nays: Mr. Richardson.

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H. 176 INDEFINITELY POSTPONED

On motion of Mr. Dawkins, the bill, H. 176, was indefinitely postponed.

And the bill:

H. 232. To facilitate vehicular traffic in the State by providing for the construction, operation and maintenance of turnpike projects; authorizing the incorporation of Alabama Turnpike Authority and defining its powers and duties, including the power of condemnation; authorizing the Authority to finance turnpike projects by the sale and issuance of its revenue bonds payable solely from its tolls and other revenues and the proceeds of its bonds; providing that no debt of the State shall be incurred in the exercise of any of the powers granted by this act; authorizing the Authority to make rules and regulations for the use of each turnpike project and to collect tolls and other revenues for such use; authorizing the Authority to refund any of its bonds by the issuance of its refunding bonds; authorizing the Authority to issue its notes in anticipation of the issuance of any of its bonds; exempting from taxation all bonds and notes issued by the Authority, the income therefrom, and all properties of the Authority; providing that all such bonds and notes shall constitute negotiable instruments and shall be eligible for the investment of trust funds; prescribing conditions upon which such projects shall become free of tolls; authorizing the State Highway Department, with the Governor's approval, to make a preliminary study of any turnpike project; authorizing counties, municipalities and other political subdivision to transfer property to the Authority; conferring on the Authority certain powers with respect to public highways other than turnpike projects of the Authority and certain powers of entry upon real property for the purpose of making surveys; and prescribing certain penalties.

Was taken up.

Mr. Brewer offered the following amendment to the bill, H. 232:

Amendment to H.B. 232. Add the following after the word "interest" in the second paragraph of Section 9:

The Authority shall construct any gasoline Service Stations which it may determine are needed on any Turnpike Project, provided that, to afford users of such Projects a reasonable choice of motor fuels of different brands, each such gasoline Service Station shall be separately offered for lease upon sealed bids. The Authority shall advertise each such offer once each week for three (3) consecutive weeks in a daily newspaper published in the State of Alabama. If in the judgment of the Authority an acceptable bid shall be received, each such lease shall be awarded to the highest responsible bidder therefor, but no person shall be awarded or have the use of, nor shall motor fuels identified by the trade marks, trade names, or brands of any one supplier, distributor, or retailer of such fuel be sold at more than one Service Station if they would constitute more than twenty-five percent (25%) of the Service Stations on a Turnpike Project.

And the amendment was adopted.

Yeas 78; Nays 13.

Yeas:

Mr. Speaker	Brannan	Cox	Edwards (Escambia)
Adams	Branyon	Crook	Edwards (Jefferson)
Albea	Brassell	Davis	Ferrell
Ashworth	Brewer	Dawkins	Franklin
Bassett	Broadfoot	deGraffenried	Gilchrist
Boyd	Burkhalter	Dement	Gist
Bradford	Callahan	DeSear	Goodwyn

Gregory	Johnson (Tallapoosa)	Murphy	Simon
Grouby	Kaul	Nolen	Speaks
Hain	Kelly	Oden	Steagall
Hall	Lee (Barbour)	Payne	Stembridge
Haltom	Lee (Lawrence)	Perry	Stokes
Hanby	Locke (Perry)	Pirkle	Summerlin
Hare	McClendon	Ramey	Taylor
Hawkins	McLendon	Reynolds	Thomas
Hodges	McNider	Richardson	Vacca
Huddleston	Martin	Roberts	Ward
Hunt	Mathews	Selman	Windle
Jenkins	Meeks	Shumate	Wood
Johnson (Elmore)	Money		

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Nays:

Messrs.	Kendall	Love	Oakley
Brown (Lamar)	Kirkham	McKay	Pruitt
Harrison	Law	Nettles	Tyson
Holliman	Locke (Choctaw)		

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MOTIONS TO ADJOURN LOST

Mr. Faulk moved that the House adjourn until Tuesday, June 7, 1955, at twelve o'clock, noon.

Mr. Nice offered as a substitute, a motion to adjourn until Tuesday, June 7, 1955, at ten o'clock A.M., and the motion was lost.

Yeas 40; Nays 53.

Yeas:

Mr. Speaker	Gregory	Hunt	Nice
Bassett	Grouby	Kelly	Oakley
Boyd	Hall	Kendall	Payne
Brannan	Haltom	Killough	Pruitt
Brassell	Hardy	Lee (Barbour)	Richardson
Broadfoot	Hare	Locke (Choctaw)	Selman
Callahan	Harrison	Locke (Perry)	Speaks
DeSear	Harvey	McClendon	Summerlin
Faulk	Hodges	Mathews	Thomas
Ferrell	Huddleston	Molette	Vacca

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Nays:

Messrs.	Dement	Kaul	Perry
Adams	Edwards (Escambia)	Kirkham	Pirkle
Albea	Edwards (Jefferson)	Law	Ramey
Ashworth	Franklin	Lee (Lawrence)	Shumate
Bradford	Gilchrist	Love	Simon
Branyon	Gist	McKay	Steagall
Brewer	Goodwyn	McNider	Stembridge
Brown (Lamar)	Hain	Martin	Stokes
Burkhalter	Hanby	Meeks	Taylor
Cox	Hawkins	Money	Tyson
Crook	Holliman	Murphy	Ward
Davis	Jenkins	Nettles	Windle
Dawkins	Johnson (Elmore)	Nolen	Wood
deGraffenried	Johnson (Tallapoosa)		

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And the motion of Mr. Faulk to adjourn until Tuesday, June 7, 1955, at twelve o'clock, noon, was lost.

Yeas 30; Nays 67.

Yeas:

Messrs.	Faulk	Lee (Barbour)	Richardson
Albea	Grouby	Locke (Choctaw)	Shumate
Bradford	Hardy	Love	Simon
Brannan	Hodges	Murphy	Taylor
Brassell	Johnson (Tallapoosa)	Nettles	Thomas
Burkhalter	Kelly	Oakley	Tyson
Cox	Kendall	Payne	Vacca
DeSear	Killough	Pruitt	

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Nays:

Mr. Speaker	Ferrell	Jenkins	Nolen
Adams	Franklin	Johnson (Elmore)	Oden
Ashworth	Gilchrist	Kaul	Perry
Bassett	Gist	Kirkham	Pirkle
Boyd	Goodwyn	Lackey	Ramey
Branyon	Gregory	Law	Reynolds
Brewer	Hain	Lee (Lawrence)	Roberts
Broadfoot	Hall	McClendon	Selman
Brown (Lamar)	Haltom	McKay	Solomon
Callahan	Hanby	McLendon	Speaks
Crook	Hare	McNider	Steagall
Davis	Harrison	Martin	Stembridge
Dawkins	Harvey	Mathews	Stokes
deGraffenried	Hawkins	Meeks	Ward
Dement	Holliman	Molette	Windle
Edwards (Escambia)	Huddleston	Money	Wood
Edwards (Jefferson)	Hunt	Nice	

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**REPORT OF THE STANDING COMMITTEE ON RULES
ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill and House Joint Resolutions, to-wit:

H. 117. Proposing an amendment to the Constitution of Alabama relating to Lamar County, and ordering an election thereon.

Also:

H.J.R. 21. Relative to the admission of the States of Delaware and West Virginia into the Southern Regional Education Compact.

Also:

H.J.R. 24. Relative to appointing a committee to observe the 19th Annual Training School for Firemen at the University of Alabama.

And finds same correctly enrolled.

RANKIN FITE,
Chairman

SIGNING OF BILL AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at

length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill and House Joint Resolutions, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

CONSIDERATION OF H. 232 RESUMED

Mr. Adams moved to postpone further consideration of the bill, H. 232, as amended, until the twenty-fifth legislative day.

Mr. Brewer moved to lay on the table the motion of Mr. Adams to postpone further consideration of the bill, H. 232, as amended, until the twenty-fifth legislative day.

Mr. McKay moved to indefinitely postpone the bill, H. 232, as amended.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 48. To amend Title 51, Section 632, Code of Alabama 1940, as amended, which relates to distribution of tax on lubricating oil.

Also:

S. 49. To amend Title 36, Section 61, 69, and 71, Code of Alabama 1940, as amended, which relate to funds of the Department of Public Safety.

Also:

S. 71. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Montgomery County.

J. E. SPEIGHT,
Secretary

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

In accordance with the provisions of House Joint Resolution No. 24, the Chairman of the Finance and Taxation Committee has appointed Messrs. Allen, Chairman, Roberts and Flowers as Committee on part of the Senate.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 40. To make an additional appropriation to the Military Department of the State of Alabama out of any funds in the State Treasury not otherwise appropriated in the sum of \$65,000.00 for the fiscal year ending September 30, 1955.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Oden the House concurred in and adopted the Senate amendment to the bill, H. 40, said Senate amendment being as follows:

Amendment to H.B. 40:

Amend Section 3 to read as follows:

The appropriation made by this act is hereby made conditional upon the condition of the treasury and the approval of the Governor.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Johnson (Tallapoosa)	Nolen
Adams	Faulk	Kelly	Oakley
Albea	Ferrell	Kendall	Oden
Ashworth	Franklin	Killough	Payne
Bassett	Gilchrist	Kirkham	Pirkle
Boyd	Gist	Lackey	Pruitt
Bradford	Goodwyn	Law	Ramey
Brannan	Gregory	Lee (Barbour)	Reynolds
Branyon	Grouby	Lee (Lawrence)	Roberts
Brassell	Hain	Locke (Choctaw)	Selman
Brewer	Hall	Locke (Perry)	Shumate
Broadfoot	Hanby	McClendon	Simon
Brown (Lamar)	Hardy	McKay	Speaks
Brown (Lee)	Hare	McLendon	Steagall
Callahan	Harrison	McNider	Stembridge
Cox	Harvey	Martin	Stokes
Crook	Hawkins	Mathews	Summerlin
Davis	Hodges	Meeks	Taylor
Dawkins	Holliman	Molette	Thomas
deGraffenried	Huddleston	Money	Vacca
Dement	Hunt	Murphy	Windle
DeSear	Jenkins	Nettles	Wood
Edwards (Escambia)	Johnson (Elmore)		

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CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bill and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:05 P.M. On May 31, 1955.

H.J.R. 20.

Delivered to the Secretary of State at 3:30 P.M. on May 31, 1955

H. 117.

Delivered to the Governor at 3:30 P.M. On May 31, 1955

H.J.R. 21.

H.J.R. 24.

R. T. GOODWYN, JR.,
Clerk

ADJOURNMENT

On motion of Mr. deGraffenried the House adjourned until Tuesday, June 7, 1955, at eleven o'clock A.M.

Yeas 48; Nays 47.

Yeas:

Mr. Speaker	Ferrell	Hunt	Nettles
Albea	Gilchrist	Jenkins	Nice
Ashworth	Gist	Johnson (Elmore)	Oden
Bassett	Gregory	Kelly	Pirkle
Boyd	Grouby	Kirkham	Reynolds
Brassell	Haltom	Law	Richardson
Brewer	Hanby	Lee (Lawrence)	Roberts
Broadfoot	Hardy	Love	Selman
Cox	Hare	Mathews	Shumate
Dawkins	Harvey	Meeks	Simon
deGraffenried	Hawkins	Money	Vacca
Edwards (Escambia)	Hodges	Murphy	Wood

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Nays:

Messrs.	Faulk	Lackey	Perry
Adams	Franklin	Lee (Barbour)	Pruitt
Bradford	Goodwyn	Locke (Choctaw)	Ramey
Branyon	Hain	Locke (Perry)	Solomon
Brown (Lamar)	Hall	McClendon	Speaks
Brown (Lee)	Harrison	McKay	Steagall
Callahan	Holliman	McLendon	Stembridge
Crook	Huddleston	Martin	Stokes
Davis	Johnson (Tallapoosa)	Molette	Taylor
Dement	Kaul	Nolen	Thomas
DeSear	Kendall	Oakley	Ward
Edwards (Jefferson)	Killough	Payne	Windle

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TENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, June 7, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend William C. Campbell, Assistant Pastor, First Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards (Jefferson)	Kaul	Nolen
Adams	Faulk	Kelly	Oakley
Ashworth	Ferrell	Kendall	Payne
Bassett	Franklin	Killough	Perry
Boyd	Gilchrist	Kirkham	Pirkle
Bradford	Gist	Lackey	Pruitt
Brannan	Goodwyn	Law	Ramey
Branyon	Gregory	Lee (Barbour)	Reynolds
Brassell	Grouby	Lee (Lawrence)	Richardson
Brewer	Hain	Locke (Choctaw)	Selman
Broadfoot	Hall	Locke (Perry)	Shumate
Brooks	Haltom	Love	Simon
Brown (Lamar)	Hanby	McClendon	Solomon
Brown (Lee)	Hardy	McKay	Speaks
Burkhalter	Hare	McLendon	Steagall
Callahan	Harrison	McNider	Stembridge
Cornett	Harvey	Martin	Stokes
Cox	Hawkins	Mathews	Summerlin
Crook	Hodges	Mathison	Taylor
Davis	Holliman	Meeks	Thomas
Dawkins	Huddleston	Molette	Tyson
deGraffenried	Hunt	Money	Vacca
Dement	Jenkins	Murphy	Ward
DeSear	Johnson (Elmore)	Nettles	Windle
Dickson	Johnson (Tallapoosa)	Nice	Wood
Edwards (Escambia)			

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Dement, leave of absence was granted to Mr. Oden because of illness in his family.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the ninth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Brown (Lamar), the reading at length of the Journal of the House for the ninth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the ninth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 40. To make an additional appropriation to the Military Department of the State of Alabama out of any funds in the State Treasury not otherwise appropriated in the sum of \$65,000.00 for the fiscal year ending September 30, 1955.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 50. To amend Section 6, 8 and 10 and to repeal Sections 11, 12, 13, 14, and 16 of Act No. 585 entitled "An Act To create a Department of Public Safety; to provide for the appointment by the Governor of the Director thereof; to provide for the salary of said Director, and that said salary may be fixed by the Governor; to authorize the creation of divisions within said department and the appointment under the provisions of the Merit System of the chiefs of said divisions and other employees; to prescribe the duties and powers of the Director of the Department of Public Safety, and to enumerate the laws which said Director shall administer and enforce; to provide for the disposition of costs, fees and mileage of Highway Patrol officers when attending courts; to provide for the police powers possessed by members of the State Highway Patrol; to provide for the payment of the compensation of officers, agents and employees of the Department of Public Safety, and to provide for the payment of expenses for necessary equipment; to create a fund in the State Treasury to be known as the State Public Highway and Traffic Control Fund, and to prescribe the monies which shall be paid into said fund; to require that expenditures of the Department of Public Safety shall be limited to amounts appropriated by the Legislature out of the State Public Highway and Traffic Control Fund; to provide for the liability of members of the State Highway Patrol on their official bonds; to prescribe an arrest fee for Highway Patrol officers and the payment of said fee into the State Public Highway and Traffic Control Fund; to provide that any unencumbered balance in the State Public Highway and Traffic Control Fund at the end of any two year drivers' licensing period shall be paid into the Public Road and Bridge Fund of the Highway Department; to require the State Comptroller to record the source of funds paid into the State Public Highway and Traffic Control Fund; to authorize the Department of Public Safety to promulgate rules and regulations having the force and effect of law and to provide for a penalty for the violation thereof; to transfer all monies or funds in the Highway Patrol Fund to the State Public Highway and Traffic Control Fund, and to authorize any appropriation heretofore made from said Highway Patrol Fund to be paid out of the said State Public Highway and Traffic Control Fund; and to provide for the effective date of this Act." approved September 11, 1953.

Also:

S. 65. To provide for civil defense upon the occurrence of disasters or emergencies: Creating and establishing within the executive branch of the State Government a department of Civil Defense and authorizing the creation of local organizations for civil defense in the political subdivisions of the State; conferring upon the Governor and upon governing bodies of political subdivisions emergency powers with respect to civil defense; providing for the rendering of mutual aid among political subdivisions, and with other States, and with the Federal Government; ratifying and confirming all mutual interstate aid agreements and pacts heretofore entered into between the State of Alabama and other States

of the United States; authorizing the establishment of such organizations and the taking of such steps as are necessary and appropriate to carry out the provisions of this Act; imposing penalties for violations of the Act or any rule, order or regulation made pursuant to the Act; and making an appropriation.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Lamberth:

S. 115. To make it a felony for any person other than a carrier operating under a permit issued by the Interstate Commerce Commission or the Alabama Public Service Commission, or persons, firms, corporations, or associations of persons designated by the Alabama Alcoholic Beverage Control Board, to transport certain alcoholic beverages which do not have affixed thereto stamps, crowns, or lids denoting the payment of Alabama taxes on such beverages.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 115. Ways and Means.

RESOLUTION

The following resolution was introduced:

By Messrs. Thomas, McNider and Solomon:

H.J.R. 25. Relative to the death of Mrs. E. O. Cunningham.

Be it resolved by the House of Representatives of Alabama, the Senate concurring: That the members of the Legislature have learned with the deepest regret of the recent death of Mrs. E. O. Cunningham, the mother-in-law of Representative W. E. Oden, and extend sincere sympathy to Representative Oden and his family for their great loss.

On motion of Mr. Thomas the rules were suspended and H.J.R. 25 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Goodwin:

S.J.R. 16. Whereas, the Honorable Charles Brents Kennamer, judge of the United States District Court for the Middle District of Alabama, died at his home in Montgomery on Friday, June 3, 1955, and

Whereas, Judge Kennamer had served with distinction for 24 years as United States district judge, having been appointed by President Herbert Hoover in 1931, and

Whereas, Judge Kennamer's kindness and love for his fellow man, his courage, integrity, devotion to duty, and knowledge of law, had earned for him the trust, admiration, and respect of Alabamians of every walk of life, as well as widespread recognition for his high professional attainments, and

Whereas, his long and useful life was not only a credit to bench and bar but also to the entire State of Alabama; now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING:

That the Legislature hereby expresses the deep grief felt by the people of Alabama upon the passing of this distinguished jurist, and extends to the surviving members of his family its deepest and most sincere sympathy.

Be it further resolved, that a copy of this resolution be transmitted by the Secretary of the Senate to the widow of Judge Charles Brents Kennamer, Mrs. Birdie Hooper Kennamer, and that a copy of the resolution also be transmitted to the clerk of the United States District Court for the Middle District of Alabama, at Montgomery.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Brassell the rules were suspended and the House concurred in and adopted the S.J.R. 16 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Robinson:

S.J.R. 17. Be it resolved by the Senate, the House concurring, that S.B. No. 71 which has passed both Houses of the Legislature of Alabama be known as the Robison, Nolen, Dawkins, Hall and Goodwyn Bill.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The S.J.R. 17 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Lamberth:

S.J.R. 19. BE IT RESOLVED by the Senate, the House concurring, that when the two Houses adjourn today they adjourn to meet again on Friday, June 10th, 1955.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 19 set out in the above and foregoing Message from the Senate.

BILLS ON SECOND READING

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 10 (with amendment). To amend Section 5 of Act No. 338, General Acts of 1949, page 503, approved August 8, 1949, entitled "To provide for the assignment of accounts receivable and for notice thereof; and to fix the rights and liabilities of the assignors and assignees of such accounts received and of the persons owing the same, and of all persons interested therein, and to provide for the enforcement of such rights and liabilities; all in order to promote trade and commerce by facilitating the sale and pledge of accounts receivable and to eliminate fraud in connection with secret assignments".

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 124. To provide that persons in the service of the government of the United States and their spouses, if living within the borders of the State of Alabama at the time of their death, shall be deemed to be residents and inhabitants of Alabama for purposes of general probate jurisdiction.

H. 125. To provide that persons in the service of the government of the United States of America, and their spouses, if living within the borders of the State of Alabama, shall be deemed to be residents of Alabama for the purpose of maintaining suits or actions in the Courts of Alabama; and to provide that the Act shall have retrospective as well as prospective effect.

H. 148. To amend Section 45 of an Act approved August 30, 1949, (Act No. 516, H. 769, Acts of Alabama, 1949, p. 740) entitled "An Act to regulate further the use of the highways of the State by pedestrians and vehicles; prescribing equipment of certain vehicles and further prescribing rules and regulations governing traffic and the operation of vehicles on the highways; providing for the method of enforcing this Act; and prescribing penalties for violations hereof."

H. 247. To amend Section 211 of Title 61 of the Alabama Code of 1940.

H. 248. To amend Section 119 of Title 61 of the Alabama Code of 1940.

H. 249. To amend Section 419 of Title 61 of the Alabama Code of 1940.

H. 258. Relating to judicial procedure: To provide for and regulate the selection and impaneling of alternate jurors for the trial of any case triable by a jury.

H. 286. To make it a misdemeanor for the owner or holder of the legal title to personal property to take or remove the same from the custody of the owner of the equitable title without his written consent, or by process of a court of competent jurisdiction.

H. 9. To amend Title 14, Section 217, Code of 1940.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 110 (with substitute). To amend further Section 89 of Title 36, Code of Alabama (1940), which limits the size and weight of motor vehicles and loads.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 253. To amend Section 365 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

S. 77. To authorize the Governor to enter into a contract with the Michie Publishing Company to replace any volume or volumes of the Code of Alabama 1940.

S. 112. To amend Section 6 (e) (1) of Act No. 48, H. B. 34, approved November 3, 1950 entitled "An Act To provide old-age and survivors insurance for certain officers and employees of the State and local governments and making appropriations therefor and to repeal Act No. 990 approved September 12, 1951."

Mr. Branyon Chairman of the Standing Committee on Constitution and Elections reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 133. To propose and provide for the submission of an amendment to the Constitution of Alabama prohibiting the Legislature from authorizing the state highway department or other state agency, other than a county governing body, to assume responsibility for construction, repair or maintenance of all county roads or bridges within a county, but providing that the state highway department or other state agency may construct, repair or maintain county roads and bridges upon written agreement signed by a majority of the members of a county governing body; and preserving the power of the Legislature to authorize the highway director or other state agency to designate routes or roads within a county as a part of the state highway system; and to order an election upon said proposed amendment at the next general election next succeeding this session of the Legislature; and to provide for notice of such election together with the proposed amendment.

The above bill was read a second time at length as required by the Constitution.

S. 30. Proposing an amendment to the Constitution relative to the abridgment of the terms of office of state, county or municipal officers, by the abolition of the office or otherwise.

The above bill was read a second time at length as required by the Constitution.

H. 25. To propose an amendment to the Constitution of Alabama relative to suffrage and elections, extending the right to register and to vote to persons between the ages of eighteen and twenty-one years.

The above bill was read a second time at length as required by the Constitution.

H. 45. Proposing an amendment of Section 178 of the Constitution of Alabama, which relates to the qualifications for voting.

The above bill was read a second time at length as required by the Constitution.

H. 256. Relating to qualifications of electors; amending further Section 12, Title 17, Code of Alabama (1940), as amended.

Mr. Branyon Chairman of the Standing Committee on Constitution and Elections reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 35 (with amendment). To reapportion the Legislature of Alabama.

Mr. Wood Chairman of the Standing Committee on Conservation reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 348. To amend Section 39, Title 8 of the 1940 Code of Alabama, relating to non-resident state fishing licenses.

H. 347. To amend Section 40, Title 8, of the 1940 Code of Alabama pertaining to non-resident trip fishing licenses.

H. 179. To enable the State of Alabama to enter into a compact with other states for the purpose of promoting effective prevention and control of forest fires in the Southeastern Region of the United States by the development of integrated forest fire plans; to provide for mutual aid between such compacting states in fighting forest fires; to provide for a forest fire control compact administrator for the State of Alabama; to provide and establish an Advisory Committee of legislators and forestry representatives; to provide for the duties and travel expense of said committee.

H. 299. To designate the Chief Attorney of the Department of Conservation as Chief Legal Counsel for said Department; to designate the Assistant Attorneys as Assistant Legal Counsel; to provide that such Counsel shall be commissioned Assistant Attorneys General and to provide for the duties and compensation of the Legal Personnel of said Department.

Mr. Wood Chairman of the Standing Committee on Conservation reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 98 (with substitute). To amend Section 38, Title 8, of the Alabama Code of 1940, relating to licenses for fishing on waters of this State.

Mr. Murphy Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 342. To amend Section 2 of Act No. 279, approved August 5, 1953, Acts of Alabama, 1953, entitled, "An Act Relating to Counties having a population of not less than 73,000 nor more than 93,000 inhabitants; providing that witness certificates obtained as a State's witness before the grand jury or a court in which a criminal prosecution is pending shall be paid immediately upon presentation for payment."

H. 340. Relating to Marion County; to amend Section 5 of Act No. 58 adopted at the Second Special Session of the Legislature of Alabama of 1955 so as to change the method and purpose of distribution of the revenue arising from the tax levied by said act and so as to authorize the use and pledge of a portion thereof for the payment of the principal of and interest on certain securities which may be issued pursuant to law.

H. 270. Relating to Mobile County: To regulate further the office of the judge of probate of said county; authorizing and empowering the judge of probate to create and establish divisions for the performance of the functions and duties of his office, to assign function and duties to such divisions, and to delegate certain powers to the chiefs of such divisions.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Grouby, Harrison, Hodges, Kendall, Solomon, Holliman, Kelly, Law, Brassell, Ferrell, Dement, Cox, Callahan, Vacca, Edwards (Escambia), Faulk, Brooks, Hawkins, Bassett, Lee (Barbour), Wood, Locke (Choctaw), Murphy, Simon, Pruitt, Johnson (Elmore) and Steagall:

H. 350. To fix the compensation of certain State Officers.

Ways and Means.

By Messrs. Crook and McLendon (with notice and proof):

H. 351. To extend, alter and rearrange the boundary lines and corporate limits of the City of Union Springs, in Bullock County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 351:

LEGAL

Notice is hereby given that during the regular session of the 1955 Legislature there will be introduced the following bill:

A BILL TO BE ENTITLED AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the City of Union Springs, in Bullock County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundary lines and corporate limits of the City of Union Springs in Bullock County, Alabama, be and the same are

hereby extended, altered, and rearranged so as to include within the corporate limits of said City all of the following adjacent territory:

Beginning at a point 31 feet N 88 degrees 54 minutes E of the SE corner of Lot 7, Block B, according to a map or plat of the Hill-N-Dale Subdivision adjacent to the City of Union Springs, a map or plat of which is now on file in the office of the Judge of Probate of Bullock County, Alabama, proceed N 3 degrees 20 minutes E along the City Limit line a distance of 1256.2 feet, thence N 68 degrees W a distance of 64 feet, thence N 30 degrees 12 minutes W a distance 290.7 feet, thence North 34 degrees 15 minutes W a distance of 235.2 feet, thence N 47 degrees 30 minutes W a distance of 551.3 feet, thence S 42 degrees 55 minutes W a distance of 876 feet, thence S 10 degrees 44 minutes E a distance of 96 feet, thence S 22 degrees 29 minutes E a distance of 659.3 feet, thence S 16 degrees 51 minutes E a distance of 684.3 feet, thence S 79 degrees 58 minutes E a distance of 577.4 feet, thence N 88 degrees 54 minutes E a distance of 231 feet to point of beginning. The above described enclosure containing 43.26 acres, more or less. Said point of beginning being 409 feet North and 813 feet West of the SE corner of Section 34, Township 14 North, Range 23 East, Bullock County, Alabama.

Section 2. All laws and parts of law in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law. 5-5-4tc

STATE OF ALABAMA, BULLOCK COUNTY

Before me, Mabel Finlayson, Clerk of the Circuit Court in and for said State and County, personally appeared Wm. H. Garner Publisher of the Union Springs Herald, a newspaper published at Union Springs, Bullock County, Alabama, who being duly sworn states on oath that he published a legal notice a true copy of which is attached hereto, was published in said newspaper for four consecutive weeks, in its issues of May 5 1955, May 12 1955, May 19 1955, May 26 1955.

WM. H. GARNER, Publisher.

Sworn to and subscribed before me this 6th day of June 1955.

MABEL FINLAYSON,
Clerk of the Circuit Court,
Bullock County, Alabama.

By Messrs. Killough and Taylor (with notice and proof):

H. 352. To authorize and empower the Sheriff of Butler County, Alabama to appoint an additional Deputy; to authorize the Court of County Commissioners to fix the salary of said Deputy; and to provide the method of pay of said Deputy.

Local Legislation No. 1.

Notice and Proof H. 352:

LEGAL NOTICE

State of Alabama, Butler County.

Notice is hereby given that at the 1955 Regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize and empower the Sheriff of Butler County, Alabama to appoint an additional Deputy; to authorize the Court of County Com-

missioners to fix the salary of said Deputy; and to provide the method of pay of said Deputy.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Sheriff of Butler County, Alabama, is hereby authorized and empowered to appoint a Deputy to hold office at the pleasure of the Sheriff of Butler County.

Section 2. Said Deputy so appointed shall be paid a salary to be fixed by the Court of County Commissioners of Butler County, Alabama, not to exceed \$200.00 per month.

Section 3. Said Deputy shall be in addition to the Chief Deputy as is now provided for in Section 3 of Title 54 of the 1940 Code of Alabama as amended.

Section 4. The Court of County Commissioners of Butler County, Alabama, is hereby authorized and required to draw salary warrants monthly in favor of said Deputy for payment of the salary so fixed by them which shall not exceed \$200.00 per month. Said warrants shall be drawn upon and paid out of the General Fund of Butler County.

Section 5. Should any section, clause, or provision of this Act be declared unconstitutional, the same shall not affect the remaining sections, clauses or provisions hereof.

Section 6. This Act shall go into effect immediately upon its passage and approval by the Governor.

**STATE OF ALABAMA,
BUTLER COUNTY**

Personally appeared before me, Pauline B. Fulton, a Notary Public in and for said State and County, J. G. Stanley who being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the City of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for four successive weeks, said notice having been published in the issues of May 5, May 12, May 19 and May 26, 1955 being numbers 31 - 32 - 33 and 34, respectively of Volume Ninety.

J. G. STANLEY.

Sworn to and subscribed before me, this 25th day of May, 1955

**PAULINE B. FULTON,
Notary Public.**

By Messrs. Hunt and McClendon:

H. 353. Proposing amendments of the Constitution of Alabama fixing the number of representatives in the Legislature and apportioning the membership among the several counties, fixing the number of senators and dividing the State into senatorial districts.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Bradford (with notice and proof):

H. 354. Relating to Clarke County; authorizing nighttime hunting of raccoons and opossums under certain conditions.

Local Legislation No. 1.

Notice and Proof H. 354:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Clarke County; authorizing nighttime hunting of raccoons and opossums under certain conditions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The provisions of any other law or the provisions of any rule, regulation or order of the Director of Conservation to the contrary notwithstanding, it shall be lawful to hunt, and to capture or kill raccoons ('coons) and opossums ('possums) in Clarke County in the nighttime with a light, if the hunter has written permission from the owner of the land; and it shall be lawful for such hunter to have in his possession or under his control on such a hunt a shotgun and shells containing shot no larger than number eights and a dog or dogs. Any person who hunts at night contrary to the provisions of this Act is guilty of a misdemeanor, and upon conviction shall be punished as prescribed by law.

Section 2. All laws and parts of laws in conflict with this Act are repealed.

Section 3. This Act shall apply only in Clarke County, Alabama, and shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

6-4t

MARION BRADFORD.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF CLARKE**

Before me, the undersigned authority in and for said County in said State, this day personally appeared G. A. Carleton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Clarke County Democrat, a newspaper of general circulation published in Clarke County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 12, May 19, May 26, and June 2, all in the year 1955.

G. A. CARLETON.

Sworn to and subscribed before me June 3, 1955.

**JULIA M. HELMS,
Notary Public, Clarke County, Ala.**

By Messrs. Davis and Hawkins:

H. 355. To regulate further the registration of certain motor vehicles: prohibiting the registration of trucks, semi-trailer trucks, road tractors, or other like motor vehicles used for hire or for commercial purposes which are owned by non-residents, except as otherwise provided in Section 707 of Title 51, of the 1940 Code; requiring every person, firm, or corporation who applies for the registration of a truck, semi-trailer truck, or road tractor, or other like motor vehicle used for hire or commercial purposes to state under oath his name and address, and whether the vehicle is owned by a resident or by a non-resident; and making it a felony for any person to make a false statement in applying for the registration of a motor vehicle pursuant to this Act.

Judiciary.

By Messrs. Hardy, Hain and Molette (with notice and proof):

H. 356. To alter, rearrange, and extend the boundaries of the City of Selma in Dallas County.

Local Legislation No. 1.

Notice and Proof H. 356:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF DALLAS.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange, and extend the boundaries of the City of Selma in Dallas County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries of the City of Selma in Dallas County are hereby altered, rearranged, and extended so that all the lands described herein shall lie within the corporate limits of the City:

Beginning at the mouth of Beech Creek; thence run in a northeasterly direction with the meanderings of said Creek to a point due South of the southwest corner of Block 8 of the A. H. Murray Estate Subdivision, according to the map of said Subdivision recorded in Map Book 1, Page 174, in the Probate Office of Dallas County, Alabama; thence run North to intersect with a line 550 feet south of and parallel to the centerline of the Selma-Burnsville Highway, (said distance measured at right angles to said Highway); thence run in a northeasterly direction along said line parallel to the center of said Highway and 550 feet therefrom to the east line of the W $\frac{1}{2}$ of Section 28, Township 17 North, Range 11 East; thence run North along the east line of the W $\frac{1}{2}$ of Section 28, Township 17 North, Range 11 East, to intersect with a line 550 feet north of and parallel to the centerline of the Southern Railway right-of-way, (said distance measured at right angles to said right-of-way); thence run in a southwesterly direction along said line parallel to the center of said right-of-way and 550 feet therefrom to intersect with a line projected east and in line with the north margin of Second Avenue, if same were extended; thence run West along said projection of the north margin of Second Avenue to the East margin of Mechanic Street; thence run West along the north margin of Second Avenue to the east margin of Legrand Street; thence run in a northwesterly direction to the northwest intersection of Second Avenue and Legrand Street, according to the map of the Barrett Addition recorded in Map Book 2, Page 52-A, in the Probate Office of Dallas County, Alabama; thence run North along the west margin of Legrand Street and along a projection of the west margin of Legrand Street, if same were extended, for 555 feet 4 inches; thence run West and parallel to Second Avenue to the west margin of Range Line Road; thence run North along the west margin of Range Line Road to the north line of Section 24, Township 17 North, Range 10 East; thence run East along the north line of Section 24, Township 17 North, Range 10 East, and continuing along the south line of Section 18, Township 17 North, Range 11 East, to the east line of the W $\frac{1}{2}$ of Section 18, Township 17 North, Range 11 East; thence run North along the east line of the W $\frac{1}{2}$ of Section 18, Township 17 North, Range 11 East, to the north line of

the S½ of Section 18, Township 17 North, Range 11 East; thence run West along the north line of the S½ of Section 18, Township 17 North, Range 11 East, to the east margin of the old Selma-Birmingham Highway; thence run in a southwesterly direction along the east margin of the old Selma-Birmingham Highway to the east margin of Alabama Highway No. 22; thence run in a southwesterly direction along the east margin of Alabama Highway No. 22 to the north line of Section 24, Township 17 North, Range 10 East; thence run West along the north line of Section 24, Township 17 North, Range 10 East, and continuing along the north line of Section 23, Township 17 North, Range 10 East, to the west line of Section 23, Township 17 North, Range 10 East; thence run South along the west line of Section 23, Township 17 North, Range 10 East, to the south margin of U. S. Highway No. 80; thence run in a westerly direction along the south margin of U. S. Highway No. 80 to the west boundary of Block E of the Merrimac Heights Subdivision, according to the map of said Subdivision recorded in Map Book 2, Page 97, in the Probate Office of Dallas County, Alabama; thence run in a southerly direction along the west boundary of Block E of the Merrimac Heights Subdivision, according to said map, to the north margin of the Selma-Felix Road; thence run West to the west line of the E½ of the E½ of Section 27, Township 17 North, Range 10 East; thence run South along the west line of the E½ of the E½ of Section 27, Township 17 North, Range 10 East, to the south line of the Southern Railway right-of-way; thence run in a westerly direction along said right-of-way line to the east line of Section 28, Township 17 North, Range 10 East; thence continue in a westerly direction along said right-of-way line for 108 feet; thence run South and parallel to the east line of Section 28, Township 17 North, Range 10 East, to the south margin of the old Selma-Marion Junction Road; thence run in a northwesterly direction along the south margin of the old Selma-Marion Junction Road to the south margin of Moore's Ferry Road; thence run in a southwesterly direction along the south margin of Moore's Ferry Road to the west line of the E½ of Section 28, Township 17 North, Range 10 East; thence run South along the west line of the E½ of Section 28, Township 17 North, Range 10 East, and continuing along the west line of the F½ of Section 33, Township 17 North, Range 10 East, and continuing along the west line of the E½ of Section 4, Township 16 North, Range 10 East, to intersect with a line 530 feet north of and parallel to the center-line of the old Selma-Orrville Road, (said distance measured at right angles to said Road); thence run in a southwesterly direction along said line parallel to the center of the old Selma-Orrville Road and 530 feet therefrom to the west line of Tract 27, according to the map of the Kopecky Lands Subdivision recorded in Map Book 1, Page 157, in the Probate Office of Dallas County, Alabama; thence run in a southeasterly direction along the west line of said Tract 27, and on a projection of said line, to the south margin of the old Selma-Orrville Road; thence run in a southwesterly direction along the south and east margin of the old Selma-Orrville Road to the north line of the Louisville and Nashville Railroad right-of-way; thence run in a northeasterly direction along said right-of-way line for 1650 feet; thence run South 27 degrees 00 minutes East to the south bank, (low water mark), of the Alabama River; thence run in an easterly direction along the south bank, (low water mark), of the Alabama River to a point due South of the mouth of Beech Creek; thence run North to the mouth of Beech Creek, the point of beginning.

Section 2. This Act shall become effective May 1, 1956.

10-17-24-31

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. F. T. Raiford, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Selma Times-Journal, a newspaper of general circulation published in Selma, Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, May 17, May 24, and May 31, all in the year 1955.

MRS. F. T. RAIFORD.

Sworn to and subscribed before me June 1st, 1955.

LOUISE CONNOR,
Notary Public, Dallas County, Alabama.

My Commission expires: 10-25-55.

By Mr. Ferrell (with notice and proof):

H. 357. To amend Section One of an Act entitled "An Act to Allow the Sheriff of DeKalb County, Alabama, an Additional Deputy Sheriff to That Now Provided By Law, to Fix the Salary of Said Deputy and to Make Same Payable Out of the General Fund of DeKalb County In Monthly Installments," said Act being Act No. 715, approved by the Governor, September 5, 1951.

Local Legislation No. 1.

Notice and Proof H. 357:

NOTICE OF LOCAL LAW

NOTICE is hereby given that a local bill will be introduced in the next regular session of the Legislature of Alabama, and efforts will be made to secure its passage. Said local bill is in substance as follows:

A BILL TO BE ENTITLED AN ACT

To amend Section One of an Act entitled "An Act to Allow the Sheriff of DeKalb County, Alabama, an Additional Deputy Sheriff to That Now Provided By Law, to Fix the Salary of Said Deputy, and to Make Same Payable Out of the General Fund of DeKalb County In Monthly Installments," said Act being Act No. 715, approved by the Governor, September 5, 1951.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. That an Act entitled "An Act to Allow the Sheriff of DeKalb County, Alabama, an Additional Deputy Sheriff, to that now provided by law; to fix the Salary of Said Deputy and to make same payable out of the General Fund of DeKalb County in monthly installments." Said Act being Act No. 715, approved by the Governor, September 5, 1951, be amended by amending Section One to read as follows:

SECTION 1. The Sheriff of DeKalb County, Alabama, is hereby allowed an additional deputy to the deputy or deputies now provided by law, which said deputy shall receive a salary of not less than Twenty-four Hundred Dollars (\$2,400.00) per annum, to be fixed by the Board of Revenue of said County, and payable in twelve equal monthly installments out of the general fund of said county; that said deputy shall be appointed by the Sheriff of DeKalb County, Alabama, and shall be eligible to perform the duties of deputy Sheriff anywhere in said county.

SECTION 2. All laws and parts of laws in conflict herewith are hereby repealed.

SECTION 3. This Act shall take effect immediately upon its approval by the Governor or its otherwise becoming a law.

STATE OF ALABAMA
DEKALB COUNTY

Personally appeared before me the undersigned Notary Public in and for said State and County, E. O. Davidson to me personally known; who being duly sworn on oath, deposes and says: That he is Editor and Publisher of the "Fort Payne Journal" a newspaper of general circulation published weekly in the City of Fort Payne, DeKalb County, Alabama; and that the attached notice relative to a proposed change and amendment to an act of the Legislature passed and approved on September 5, 1951; and known as Act No. 715; was published in the "Fort Payne Journal" for a period of four consecutive weeks and was published on the following dates, viz: May 4, 1955; May 11, 1955; May 18, 1955; and May 25, 1955; and that the copy of said notice relative to the said change and amendment to an act of the Legislature passed and approved on September 5, 1951, known as Act No. 715; attached hereto is a true copy of same which appeared as published in the "Fort Payne Journal" as aforesaid; and that said publication was made without expense to the State of Alabama.

E. O. DAVIDSON,
Editor and Publisher of the "Fort Payne Journal."

Sworn to and subscribed before me this the 4th day of June, A. D., 1955.

W. M. BECK,
Notary Public.

My Commission expires 2-7-59.

By Messrs. Hawkins, Dawkins, Law, Edwards (Escambia), Brassell Cornett, Ferrell and Johnson (Elmore):

H. 358. To provide for the expenses of the Lieutenant Governor and the Speaker of the House of Representatives and to make an annual appropriation therefor.

Ways and Means.

By Messrs. Edwards (Escambia), Mathews, Brassell, Law, Vacca, Speaks, Taylor, Gist, Burkhalter, Dement, Ferrell, Callahan, Oden, Cox, Brown (Lamar), Davis, Huddleston, Shumate, Grouby, Pirkle, Gregory, Broadfoot, Payne, Hunt, Love, Branyon, Kelly, Wood, Brooks, Mathison and Brannan:

H. 359. To further regulate the practice of law in Alabama in all proceedings now pending or hereafter instituted for the removal, suspension, disbarment, or other disciplinary action against any attorney admitted to the practice of law in the State of Alabama, and to provide for a jury trial in all such proceedings.

Constitution and Elections.

By Messrs. Edwards (Escambia), McNider, Brassell, Love, Kendall, Oden, Brooks, Dement, Steagall, Branyon, Shumate, Pirkle, Taylor, Selman, Kelly, Johnson (Elmore) and Law:

H. 360. To amend further the Act approved August 19, 1949, entitled "An Act to provide for absentee voting in primary, general, special and municipal elections: Prescribing penalties for violations of the Act and repealing conflicting laws" (Act No. 424, H. 351, Acts of 1949, p. 601).

Local Government.

By Mr .Hawkins:

H. 361. To amend Sections 2, 3, 4, 5, 7, 8, and 15 and to repeal Section 24 of Act No. 703, approved September 5, 1951, p. 1211, which relate to State and county boards and departments of public welfare.

Judiciary.

By Messrs. Hawkins and Hanby:

H. 362. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of every such county to purchase such uniforms as the governing body deems necessary for the use of the uniformed personnel, deputies and other employees of the sheriff of the county.

Local Legislation No. 1.

By Mr. Hawkins:

H. 363. To amend Title 51, Section 753, Code of Alabama 1940, as amended, by levying a tax of one and one-half per cent on the gross proceeds of the sale of all new or used automotive vehicles, truck trailers or semi-trailers, on all persons, firms or corporations engaged or continuing within this state in the business of selling such automotive vehicles, truck trailers or semi-trailers; and to provide that the gross proceeds of the sale of any such automotive vehicle, truck trailer or semi-trailer, shall not include any amount of credit allowed to the purchaser by the seller for an automotive vehicle, truck trailer or semi-trailer accepted by the seller as payment of the purchase price in whole or in part.

Ways and Means.

By Mr. Hawkins:

H. 364. To provide for the licensing of motor vehicle dealers, salesman, manufacturers, distributors, and factory representatives in this state to promote the public welfare, and to protect the public against frauds, and other abuses; to require such persons to procure a license which is to be regulatory in nature, from the State of Alabama, through the Alabama Motor Vehicle Board for the State of Alabama, before engaging in the business of selling automobiles in this state, and to prohibit anyone from engaging in such business without such a license, and to provide for the administration and enforcement of this Act by the State acting through said Board; to provide for the creation of said Board and the appointment of the chairman and other members thereof, and a chief clerk and such other employees as may be needed; to provide for the payment of salaries and expenses; to provide for the issuance of said licenses, and the revocation and suspension of same by said Board, and to provide for hearings of a judicial nature in such cases, and from appeals from any order or judgment rendered by said Board in such cases, and for other remedies; to provide for the conditions and procedures which are to govern such appeals, and to provide other remedies to the State for the enforcement of the provisions of this Act, and for penalties and punishment for the violations of the provisions hereof.

Ways and Means.

By Mr. Hawkins:

H. 365. To provide for Certification of Title for motor vehicles in this State, for the purpose of registering such vehicles, together with the ownership thereof, and the listing of all liens and encumbrances thereon; to provide means for the detection and recovery of stolen motor vehicles within this state, and to protect the public from frauds and other abuses in the sale of automobiles in this state; to provide that said law shall be administered and enforced by the State Department of Revenue with

the assistance of the probate judges and commissioners of licenses of the several counties in this state; and to provide for penalties and punishment for violations of the provisions of this Act.

Ways and Means.

By Mr. Hawkins:

H. 366. To create the office of public defender for every judicial circuit in the State of Alabama; and to provide for the qualifications, election, compensation, duties, power and authority of such officer.

Judiciary.

By Messrs. Solomon, Cornett, Faulk, Brannan, McClendon, Boyd, Summerlin, Richardson, Stokes, Crook, McLendon, Nettles, Brooks, and Davis:

H. 367. To regulate further the affairs of labor organizations; providing for the periodic audit of the financial transactions of labor organizations by the State Department of Examiners of Public Accounts; and prescribing penalties for violations of the Act.

Business and Labor.

By Messrs. Perry, Nice, Lackey, Edwards (Jefferson), Vacca and Meeks:

H. 368. To amend Act No. 376, S. 280, approved August 16, 1947 (General Acts, 1947, p. 267) which authorized and empowered governing bodies of municipal corporations, counties, city and county boards of education, and state agencies and institutions to obtain and maintain group life, health, accident and hospitalization insurance for the benefit of certain of its officers and employees; authorizing such bodies to provide insured retirement plans for certain of their officers and employees.

Judiciary.

By Messrs. Perry, Nice, Lackey, Edwards (Jefferson), Vacca and Meeks:

H. 369. To ratify, confirm, approve and validate all individual annuity contracts, retirement income policies, or group annuity contracts issued to any municipal corporation, county, city or county board of education, or any state agency or institution of education, learning, training or correction, or for the delinquent, insane, sick, deaf, dumb, blind, needy, juvenile or aged, for the benefit of its officers and employees; to ratify, confirm, approve and validate all acts done and premiums paid under such contracts and policies; to repeal all conflicting laws; to provide that the invalidity or unconstitutionality of any provision or application shall not affect other provisions or applications of the Act; and to fix the effective date of the Act.

Local Government.

By Messrs. Perry, Lackey, Edwards (Jefferson), Vacca and Meeks:

H. 370. To amend Act No. 420, General Acts 1943, page 385, entitled: AN ACT To require the Sheriff of the Several Counties of the State to Fingerprint Each Person Coming Into his Custody; To furnish A Copy of Such Fingerprints to the Director of the Federal Bureau of Investigation, Washington, D. C., and a Copy to the Director, Department of Public Safety, State Bureau of Investigation and Identification, Montgomery, Alabama; to provide that the Department of Public Safety, State Bureau of Investigation and Identification shall constitute the central assembling agency for receiving, maintaining and furnishing such fingerprint records; to Provide for the Necessary Equipment; and to Provide a Fee for the several Sheriffs to be taxed and collected as other costs.

Judiciary.

By Mr. Nice:

H. 371. To amend Section 6 of Title 14, Code of Alabama (1940), which relates to the crime of kidnapping; raising the maximum sentence from ten to twenty-five years.

Judiciary.

By Messrs. Meeks, Nice, Harrison, Kendall, Goodwyn, Nolen, Ward, Lackey, Edwards (Jefferson), Vacca, Perry, Dement, Brewer, Gilchrist, Broadfoot, Haltom, Branyon, Ramey, Davis, Martin, Windle and Kelly:

H. 372. To propose an amendment to the Constitution of Alabama relative to the authorization of additional taxes on the taxable property within each school district in each county of the State of Alabama for public school purposes.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Ward and Brown (Lee):

H. 373. To appropriate two million nine hundred seventy-seven thousand six hundred dollars for the purpose of making certain capital improvements and providing facilities for research in agricultural and veterinary sciences at the Alabama Polytechnic Institute.

Ways and Means.

By Mr. Dement:

H. 374. To amend Section 347 of Title 37 of the Code of Alabama of 1940 so as to provide that if the resolution authorizing the issuance of revenue anticipation bonds under Subdivision 4 of Article 2 of Chapter 6 of Title 37 of the Code of Alabama of 1940 contains a reservation of the right to issue additional bonds payable out of the same revenue on a parity of lien with those issued under said resolution then such additional bonds may be issued with such parity of lien.

Judiciary.

By Messrs. Fite and Adams:

H. 375. Authorizing any gas district now or hereafter organized in this state under the provisions of Act No. 762, adopted at the 1951 Regular Session of the Legislature of Alabama, to promulgate rules and regulations governing and relating to the installation, connection, maintenance and servicing of gas fixtures, pipes, appliances and equipment with respect to properties served by it and requiring that any person so installing, connecting, maintaining or servicing any such fixtures, pipes, appliances and equipment be licensed by it, specifying the manner of adoption of such rules and regulations, and providing that no such rules or regulations shall supersede any applicable rules or regulations established by any municipality in this state.

Local Government.

By Messrs. Dawkins and Hall:

H. 376. To regulate further the purchasing of supplies, materials and equipment for the use of state agencies and institutions which do not make purchases through the division of purchases and stores of the state department of finance.

Ways and Means.

By Messrs. Hall and Dawkins:

H. 377. Regulating further the testing, inspecting, and grading of milk, cream, and milk products with respect to the public health; prescribing certain duties and authority of the Department of Agriculture

& Industries, the Commissioner of Agriculture & Industries, and the State Board of Health; providing for the cooperation and exchange of information between the Department of Agriculture & Industries, the State Board of Health, and the Alabama State Milk Control Board in the making of any surveys, investigations, and inquiries made for the purpose of determining whether or not, or in what manner, the production, processing, and distributing of milk, cream, and milk products may affect the public health; prescribing conditions and requirements for milk transported into Alabama from other states; and prescribing a penalty for violations of this Act.

Agriculture.

By Messrs. Hall and Dawkins:

H. 378. To provide that it shall be mandatory that the quota provisions of Section 205-231, Code of Alabama, 1940, be applicable only to wholesale producer licensees of the Alabama State Milk Control Board with an exception.

Agriculture.

By Messrs. Locke (Perry) and DeSear (with notice and proof):

H. 379. Relating to Perry County; Prescribing the manner of registering and paying claims of witnesses summoned and attending on behalf of the State in criminal cases in the county court of the county.

Local Legislation No. 1.

Notice and Proof H. 379:

LEGAL NOTICE

State of Alabama
County of Perry

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Perry County; Prescribing the manner of registering and paying claims of witnesses summoned and attending on behalf of the State in criminal cases in the county court of the county.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Witnesses summoned and attending on behalf of the state in all criminal cases in the county court of Perry County shall be allowed the same compensation, mileage, ferriage and toll prescribed for such witnesses under the general law but certificates shall be issued to them and their compensation paid in the manner hereinafter prescribed.

Section 2. After the trial of continuance of a case for the term, or the discharge of the witness by the court, the clerk of the court, upon the application and on the oath of the witness, shall issue to him a certificate stating the number of days he has attended, the case in which he attended, the number of miles traveled, the necessary ferriage and toll, and the total amount due him.

Section 3. Immediately after the adjournment of the court for the term, the clerk shall enter in a book to be kept for that purpose a certified list of all the certificates issued by him during the term; showing to whom issued, the case in which each witness attended, and the

amount due each witness. Upon the completion of said list said book shall be delivered to the clerk of the commissioners court to be kept by him.

Section 4. It shall be the duty of the county treasurer, depository, or other custodian of county funds to pay each of said certificates on its presentation by the owner thereof, and to take up and cancel each one as it is paid. The county treasurer, depository, or other custodian of county funds is authorized and directed before each term of county court to retain out of the general fund of the county an amount sufficient to pay said certificates as herein provided.

Section 5. Whenever the costs in any criminal case in said court are imposed on the defendant or on the prosecutor the fees of witnesses for the state shall be taxed as costs against the person on whom they were imposed, as now provided by law; and when such witness fees are so collected they shall be paid by the officer collecting the same to the county treasurer, depository, or other custodian of county funds.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this Act are repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 5-5-4tx

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. M. Wallace, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 5, May 12, May 19, and May 26, all in the year 1955.

J. M. WALLACE, Editor.

Sworn to and subscribed before me May 30, 1955.

THADDEUS J. DAVIS, JR.,
Notary Public, Perry County, Ala.

By Mr. Hodges:

H. 380. To raise revenue; levying an additional privilege license tax on all persons, firms, or corporations producing, bottling, or distributing bottled soft drinks in the State of Alabama; providing for the enforcement and collection of the tax and the distribution of the proceeds thereof; and prescribing penalties for violations of this Act.

Ways and Means.

By Mr. Harrison:

H. 381. To authorize the governing body of any county to expend an amount not to exceed one thousand dollars annually upon the repair and maintenance of certain cemeteries and graveyards within the county,

and to otherwise provide for the maintenance of such cemeteries or graveyards.

Local Government.

By Mr. Harrison:

H. 382. Relating to licenses: To amend further Section 613 of Title 51, Code of Alabama (1940), which prescribes the license to be paid on vending machines; increasing the amount of the license on coin-operated machines on which music is played.

Ways and Means.

By Mr. Harrison:

H. 383. Relating to taxation; imposing a license fee for coin-operated machines on which music is played; providing for the administration, collection, enforcement, and remittance of the tax; and providing that the money collected for the benefit of the State under the provisions of the Act shall be paid into the Alabama Special Educational Trust Fund.

Ways and Means.

By Mr. deGraffenried:

H. 384. Relating to elections; authorizing, directing and requiring the regular grand jury required by law to be empaneled in each county in the State to investigate and examine certain ballot boxes and voting machines used at each election for the purpose of comparing the number of ballots in the ballot boxes and the number of votes recorded on the counting mechanism of the voting machines, including irregular and challenged ballots, with the number of votes recorded on the statements of canvass and declaration or certificates of result which are required by law to be made by persons conducting an election; and regulating such investigation and examination.

Judiciary.

By Mr. deGraffenried:

H. 385. To provide a method for the admission of facts and of the genuineness of documents in civil cases.

Judiciary.

By Mr. deGraffenried:

H. 386. To provide a method of pre-trial procedure for the purpose of simplifying and formulating the issues in civil cases.

Judiciary.

By Messrs. Selman and Shumate:

H. 387. To amend further Section 25 of Title 34, Code of Alabama (1940), which relates to suits for divorce.

Judiciary.

By Mr. Selman:

H. 388. To repeal Act No. 424, H. 351, approved August 19, 1949 (Acts of Alabama, 1949, p. 601), entitled "An Act To provide for absentee voting in primary, general, special, and municipal elections: Prescribing penalties for violations of the Act and repealing conflicting laws."

Judiciary.

By Messrs. Selman and Shumate:

H. 389. To amend further Section 25 of Title 36, Code of Alabama (1940), which makes it unlawful for any person to park or leave standing any vehicle, whether attended or unattended, upon the paved or improved or main traveled portion of any highway, outside of a business or residence district, when it is practicable to park or leave such vehicle standing off the paved or improved or main traveled portion of such highway.

Judiciary.

By Messrs. Selman and Shumate:

H. 390. Relating to Walker County; proposing an amendment to the Constitution of Alabama relative to regulating the costs, and charges of courts in Walker County, and the method of disbursement of same.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Selman and Shumate:

H. 391. To amend Section 9 of Title 37 of the Code of Alabama, 1940, which prescribes the territorial limits of the police jurisdiction of cities and towns.

Local Government.

BILLS ON THIRD READING

S. 100. An Act for the relief of Mary Jackson Brown, by the payment to her of compensation for the death of her former husband, James Eugene Jackson, while he was in the employ and while in the line of and performing his duty as an employee for the City of Montgomery, Montgomery County, Alabama.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	DeSear	Jenkins	Nettles
Adams	Dickson	Johnson (Elmore)	Nice
Ashworth	Edwards (Escambia)	Johnson (Tallapoosa)	Nolen
Bassett	Edwards (Jefferson)	Kelly	Oakley
Boyd	Faulk	Kendall	Payne
Bradford	Ferrell	Killough	Perry
Brannan	Franklin	Lackey	Pirkle
Branyon	Gilchrist	Law	Pruitt
Brassell	Gist	Lee (Lawrence)	Reynolds
Brewer	Gregory	Locke (Choctaw)	Selman
Broadfoot	Grouby	Locke (Perry)	Shumate
Brooks	Hain	Love	Simon
Brown (Lamar)	Hall	McClendon	Solomon
Brown (Lee)	Haltom	McKay	Speaks
Burkhalter	Hanby	McLendon	Steagall
Callahan	Hardy	McNider	Stembridge
Cornett	Hare	Martin	Stokes
Cox	Harrison	Mathews	Taylor
Crook	Harvey	Mathison	Thomas
Davis	Hawkins	Meeks	Tyson
Dawkins	Hodges	Molette	Vacca
deGraffenried	Huddleston	Money	Windle
Dement	Hunt	Murphy	Wood

—92

And the bill:

S. 101. An Act for the relief of Bernice Owen McKinney Edwards, by the payment to her of compensation for the death of her former husband, Curtis D. McKinney, while he was in the employ and while in the line of and performing his duty as an employee for the City of Montgomery, Montgomery County, Alabama.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Tallapoosa)	Oakley
Adams	Edwards (Jefferson)	Kelly	Payne
Ashworth	Faulk	Kendall	Perry
Boyd	Ferrell	Killough	Pirkle
Bradford	Franklin	Law	Pruitt
Brannan	Gilchrist	Lee (Lawrence)	Ramey
Branyon	Gist	Locke (Choctaw)	Reynolds
Brassell	Gregory	Locke (Perry)	Selman
Brewer	Grouby	Love	Shumate
Broadfoot	Hain	McClendon	Simon
Brown (Lamar)	Hall	McKay	Solomon
Brown (Lee)	Haltom	McLendon	Speaks
Burkhalter	Hanby	McNider	Steagall
Callahan	Hardy	Martin	Stembridge
Cornett	Hare	Mathews	Stokes
Cox	Harrison	Mathison	Summerlin
Crook	Harvey	Meeks	Taylor
Davis	Hawkins	Money	Thomas
Dawkins	Hodges	Murphy	Tyson
deGraffenried	Huddleston	Nettles	Vacca
Dement	Hunt	Nice	Ward
DeSear	Jenkins	Nolen	Windle
Dickson	Johnson (Elmore)		

—90

And the bill:

H. 333. Authorizing and empowering the board of education of any county having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census, to provide secretarial or clerical assistance for the principal of any high school within the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Cox	Hain	Lee (Lawrence)
Adams	Crook	Hall	Locke (Choctaw)
Ashworth	Davis	Hanby	Locke (Perry)
Bassett	Dawkins	Hardy	Love
Boyd	deGraffenried	Hare	McClendon
Bradford	Dement	Harrison	McKay
Brannan	DeSear	Harvey	McLendon
Branyon	Dickson	Hawkins	McNider
Brassell	Edwards (Escambia)	Hodges	Martin
Brewer	Edwards (Jefferson)	Huddleston	Mathews
Broadfoot	Faulk	Hunt	Mathison
Brooks	Ferrell	Jenkins	Meeks
Brown (Lamar)	Franklin	Johnson (Elmore)	Molette
Brown (Lee)	Gilchrist	Johnson (Tallapoosa)	Money
Burkhalter	Gist	Kelly	Murphy
Callahan	Gregory	Kendall	Nettles
Cornett	Grouby	Killough	

Nice	Pruitt	Solomon	Tyson
Nolen	Ramey	Speaks	Vacca
Oakley	Reynolds	Steagall	Ward
Payne	Selman	Stembridge	Windle
Perry	Shumate	Stokes	Wood
Pirkle	Simon	Taylor	

—90

And the bill:

H. 155. To declare the necessity for the construction of modern tunnel vehicular facilities in certain congested areas of the state in order to relieve hazardous, unsafe and crowded traffic conditions and to facilitate vehicular traffic, and to authorize the incorporation and organization in each county in this state having a population of 400,000 or more, according to the last or any succeeding federal census, of one or more tunnel authorities as public corporations for the purpose of acquiring, constructing, owning, operating, extending and improving tunnel vehicular facilities in the county in which such authority shall be organized; to provide for the approval, execution, filing and recording of the certificate of incorporation of each such authority; to provide for the compensation of the board of directors of each such authority to exercise its powers and direct its affairs; to grant to each such authority certain powers, including the power of eminent domain with respect to any property deemed by it to be reasonably necessary for such tunnel facilities, including property already devoted to public use; to provide for and define the powers of each such authority with respect to new and existing public roads and access roads; to provide for and authorize the grant to each such authority of certain rights and powers with respect to public roads by the state, the highway department, certain counties and municipalities and other political subdivisions of the state; to grant to each such authority certain powers of entry for the purpose of making surveys; to authorize each such authority to require the relocation or removal of public utility facilities in certain instances; to authorize each such authority to fix, collect and alter tolls and other charges for the use of any tunnel project owned by it; to exempt each such authority from regulation and supervision by the Public Service Commission and all other regulatory bodies or agencies of the state or any political subdivision thereof; to authorize each such authority to make rules and regulations for the use of each tunnel project owned by it and to provide for the punishment of violations of such rules and regulations; to provide that to the extent that such rules and regulations are inconsistent with laws, ordinances or regulations of the state, the state highway department or any local government unit, such rules and regulations of such authority shall be controlling; to authorize the borrowing of money by each such authority and in evidence thereof the issuance of its revenue bonds payable solely from tolls and other revenues and the proceeds derived from said bonds; to provide that such bonds shall not constitute a debt, obligation or liability of the state, any county, municipality or other political subdivision of the state other than the issuing authority; to require public sale of such bonds; to provide that all such bonds shall constitute negotiable instruments and shall be eligible for the investment of trust funds; to authorize each such authority to refund the principal of and the interest on any of its bonds by issuance of its refunding revenue bonds; to provide for the manner of disposition of proceeds from the sale of bonds issued by each such authority; to authorize each such authority to execute trust indentures and to make certain covenants and agreements as security for any such bonds; to provide that any pledge of tolls and other revenues for the benefit of such bonds shall be valid against all parties having claims of any kind against the authority making such pledge from and

after the time a statement of such pledge is filed for record in the office of the judge of probate of the county in which the authority making such pledge is organized; to specify certain rights and remedies available to the holders of any such bonds; to exempt from all taxation in this state all property and income of each such authority and all bonds of each such authority and the income therefrom; to prescribe the conditions under which tunnel projects acquired and constructed by any such authority may be turned over to the state highway department free of tolls and the conditions under which any such authority shall be dissolved; to prohibit free use of any tunnel project except under certain conditions; to authorize the state, the highway department, certain counties, municipalities and other agencies and political subdivisions of the state to grant, convey, lease and lend real property to any such authority; to prohibit the state, the highway department, certain authorities, counties and incorporated municipalities, and any other political subdivisions of the state from constructing a competing facility to any tunnel project constructed under the provisions of this act, except under certain conditions; to authorize certain counties, municipalities, and the highway department to expend moneys and services for the study of any tunnel project and to provide for reimbursement thereof out of the proceeds of bonds issued by the authority constructing such project; and to provide that the exercise of the powers granted in this act to each such authority constitute the performance of an assential governmental function.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Dickson	Kelly	Payne
Adams	Edwards (Escambia)	Kendall	Perry
Ashworth	Edwards (Jefferson)	Killough	Pirkle
Bassett	Faulk	Lackey	Pruitt
Boyd	Ferrell	Law	Ramey
Bradford	Franklin	Lee (Lawrence)	Reynolds
Brannan	Gilchrist	Locke (Choctaw)	Richardson
Branyon	Gist	Locke (Perry)	Selman
Brassell	Gregory	Love	Shumate
Brewer	Hain	McClendon	Simon
Broadfoot	Hall	McKay	Solomon
Brooks	Haltom	McLendon	Speaks
Brown (Lamar)	Hanby	McNider	Steagall
Brown (Lee)	Hardy	Martin	Stembridge
Burkhalter	Hare	Mathews	Stokes
Callahan	Harrison	Mathison	Summerlin
Cornett	Harvey	Meeks	Taylor
Cox	Hawkins	Molette	Thomas
Crook	Hodges	Money	Tyson
Davis	Huddleston	Murphy	Vacca
Dawkins	Hunt	Nettles	Ward
deGraffenried	Jenkins	Nice	Windle
Dement	Johnson (Tallapoosa)	Nolen	Wood
DeSear	Kaul	Oakley	

—95

RECESS

On motion of Mr. Branyon the House recessed until 2:00 o'clock this afternoon.

Yeas 69; Nays 23.

Yeas:

Messrs.	DeSear	Jenkins	Nettles
Ashworth	Dickson	Johnson (Elmore)	Oakley
Bassett	Edwards (Escambia)	Kelly	Pirkle
Brannan	Faulk	Kendall	Ramey
Branyon	Ferrell	Killough	Reynolds
Brassell	Gist	Lackey	Richardson
Broadfoot	Gregory	Law	Selman
Brooks	Hain	Locke (Choctaw)	Shumate
Brown (Lamar)	Hall	Locke (Perry)	Simon
Burkhalter	Hanby	McClendon	Solomon
Callahan	Hardy	McKay	Speaks
Cornett	Hare	McLendon	Stembridge
Cox	Harrison	McNider	Summerlin
Crook	Harvey	Mathews	Taylor
Davis	Hawkins	Mathison	Thomas
Dawkins	Hodges	Meeks	Ward
deGraffenried	Huddleston	Money	Windle
Dement	Hunt		

—69

Nays:

Mr. Speaker	Edwards (Jefferson)	Love	Payne
Adams	Franklin	Martin	Perry
Boyd	Gilchrist	Molette	Steagall
Bradford	Haltom	Murphy	Stokes
Brewer	Johnson (Tallapoosa)	Nice	Tyson
Brown (Lee)	Lee (Lawrence)	Nolen	

.....23

AFTERNOON SESSION

The hour of 2:00 o'clock having arrived, the House reconvened.

UNFINISHED BUSINESS

The House proceeded to the consideration of the Unfinished Business, which was the bill:

H. 232. To facilitate vehicular traffic in the State by providing for the construction, operation and maintenance of turnpike projects; authorizing the incorporation of Alabama Turnpike Authority and defining its powers and duties, including the power of condemnation; authorizing the Authority to finance turnpike projects by the sale and issuance of its revenue bonds payable solely from its tolls and other revenues and the proceeds of its bonds; providing that no debt of the State shall be incurred in the exercise of any of the powers granted by this act; authorizing the Authority to make rules and regulations for the use of each turnpike project and to collect tolls and other revenues for such use; authorizing the Authority to refund any of its bonds by the issuance of its refunding bonds; authorizing the Authority to issue its notes in anticipation of the issuance of any of its bonds; exempting from taxation all bonds and notes issued by the Authority, the income therefrom, and all properties of the Authority; providing that all such bonds and notes shall constitute negotiable instruments and shall be eligible for the investment of trust funds; prescribing conditions upon which such projects shall become free of tolls; authorizing the State Highway Department, with the Governor's approval, to make a preliminary study of any turnpike project; authorizing counties, municipalities and other

political subdivisions to transfer property to the Authority; conferring on the Authority certain powers with respect to public highways other than turnpike projects of the Authority and certain powers of entry upon real property for the purpose of making surveys; and prescribing certain penalties.

As amended.

The question was on the motion of Mr. McKay to indefinitely postpone the bill, H. 232, as amended; and the motion was lost.

And the motion of Mr. Brewer to lay on the table the motion of Mr. Adams to postpone further consideration of the bill, H. 232, as amended, until the twenty-fifth legislative day was adopted.

Yeas 49; Nays 42.

Yeas:

Mr. Speaker	deGraffenried	Johnson (Elmore)	Nolen
Ashworth	Edwards (Escambia)	Kaul	Perry
Branyon	Edwards (Jefferson)	Kelly	Reynolds
Brassell	Ferrell	Lackey	Selman
Brewer	Gilchrist	Law	Shumate
Broadfoot	Goodwyn	Lee (Lawrence)	Simon
Brown (Lamar)	Gregory	Mathews	Speaks
Brown (Lee)	Hain	Mathison	Steagall
Burkhalter	Halton	Meeks	Stembridge
Callahan	Hanby	Money	Tyson
Cox	Hawkins	Murphy	Vacca
Davis	Huddleston	Nice	Ward
Dawkins			

—49

Nays:

Messrs.	Franklin	Killough	Oakley
Adams	Gist	Lee (Barbour)	Payne
Bassett	Grouby	Locke (Choctaw)	Pruitt
Boyd	Hardy	Locke (Perry)	Ramey
Bradford	Hare	Love	Richardson
Brannan	Harrison	McClendon	Solomon
Cornett	Hodges	McKay	Stokes
Crook	Hunt	McLendon	Taylor
DeSear	Jenkins	Martin	Thomas
Dickson	Johnson (Tallapoosa)	Molette	Windle
Faulk	Kendall	Nettles	

.....42

Mr. Brewer offered the following amendment to the bill, H. 232, as amended:

Amend Section 7 of the bill by inserting the following sentence between the first and second sentences of said section:

All bonds sold shall be sold only at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest net interest cost to the Authority for the bonds being sold, computed to their respective maturities; provided, that if no bid acceptable to the Authority is received, it may reject all bids.

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Bassett	Brannan	Brewer
Adams	Boyd	Branyon	Broadfoot
Ashworth	Bradford	Brassell	Brown (Lamar)

Brown (Lee)	Grouby	Law	Perry
Burkhalter	Hain	Lee (Barbour)	Pirkle
Callahan	Hall	Lee (Lawrence)	Pruitt
Cornett	Haltom	Locke (Choctaw)	Ramey
Cox	Hanby	Locke (Perry)	Reynolds
Crook	Hardy	Love	Richardson
Davis	Hare	McClendon	Selman
Dawkins	Harrison	McKay	Shumate
deGraffenried	Harvey	McLendon	Simon
Dement	Hawkins	Martin	Solomon
DeSear	Hodges	Mathews	Speaks
Dickson	Huddleston	Mathison	Steagall
Edwards (Escambia)	Hunt	Meeks	Stembridge
Edwards (Jefferson)	Jenkins	Molette	Stokes
Faulk	Johnson (Elmore)	Money	Summerlin
Ferrell	Johnson (Tallapoosa)	Murphy	Taylor
Franklin	Kaul	Nettles	Thomas
Gilchrist	Kelly	Nice	Tyson
Gist	Kendall	Nolen	Vacca
Goodwyn	Killough	Oakley	Ward
Gregory	Lackey	Payne	Windle

—96

Mr. Brewer offered the following amendment to the bill, H. 232, as amended:

Amendment to H.B. 232:

Amend Section 7 of the bill by striking the last sentence in the first paragraph of said section.

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Nice
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Nolen
Ashworth	Faulk	Kaul	Payne
Bassett	Ferrell	Kelly	Perry
Boyd	Franklin	Kendall	Pirkle
Bradford	Gilchrist	Killough	Pruitt
Brannan	Gist	Lackey	Ramey
Branyon	Goodwyn	Law	Reynolds
Brassell	Gregory	Lee (Barbour)	Richardson
Brewer	Grouby	Lee (Lawrence)	Selman
Broadfoot	Hain	Locke (Choctaw)	Shumate
Brown (Lamar)	Hall	Locke (Perry)	Simon
Brown (Lee)	Haltom	Love	Solomon
Burkhalter	Hanby	McClendon	Speaks
Callahan	Hardy	McKay	Steagall
Cornett	Hare	McLendon	Stembridge
Cox	Harrison	Martin	Stokes
Crook	Harvey	Mathews	Summerlin
Davis	Hawkins	Mathison	Thomas
Dawkins	Hodges	Meeks	Tyson
deGraffenried	Huddleston	Molette	Vacca
Dement	Hunt	Money	Ward
DeSear	Jenkins	Murphy	Windle
Dickson			

—93

Mr. Brewer offered the following amendment to the bill, H. 232, as amended:

Amendment of H. B. 232:

Amend subsection (k) of Section 4 to read as follows:

"(k) To designate points of ingress to and egress from each turnpike project, and to prohibit entrance to and exit from such project at any point or points not so designated; provided, that when any turnpike bisects or otherwise divides the lands of any person, the Authority shall provide suitable crossings or crossovers for the use of vehicles, animals, and persons going from one body of such land to another."

And the amendment was adopted.

Yeas 91; Nays 2.

Yeas:

Mr. Speaker	Edwards (Escambia)	Kelly	Nolen
Adams	Edwards (Jefferson)	Kendall	Payne
Ashworth	Faulk	Killough	Perry
Bassett	Ferrell	Lackey	Pirkle
Boyd	Franklin	Law	Pruitt
Brannan	Gilchrist	Lee (Barbour)	Ramey
Branyon	Gist	Lee (Lawrence)	Reynolds
Brassell	Gregory	Locke (Choctaw)	Richardson
Brewer	Grouby	Locke (Perry)	Selman
Broadfoot	Hall	Love	Shumate
Brown (Lamar)	Haltom	McClendon	Simon
Brown (Lee)	Hanby	McKay	Solomon
Burkhalter	Hare	McLendon	Speaks
Callahan	Harrison	McNider	Steagall
Cornett	Harvey	Martin	Stembridge
Cox	Hawkins	Mathews	Stokes
Crook	Hodges	Mathison	Summerlin
Davis	Huddleston	Meeks	Thomas
Dawkins	Hunt	Molette	Tyson
deGraffenried	Jenkins	Money	Vacca
Dement	Johnson (Elmore)	Murphy	Ward
DeSear	Johnson (Tallapoosa)	Nettles	Windle
Dickson	Kaul	Nice	

—91

Nays: Messrs. Bradford and Goodwyn.

—2

The motion of Mr. Brewer to lay on the table the motion of Mr. Johnson (Tallapoosa) to postpone further consideration of the bill, H. 232, as amended, until the twentieth legislative day was adopted.

Mr. Stokes offered the following amendment to the bill, H. 232, as amended:

To amend Sec. 13 by striking therefrom any mention of state or any subdivision thereof participating in the purchase of any of the bonds of the authority.

On motion of Mr. Brewer the amendment offered by Mr. Stokes was laid upon the table.

Yeas 51; Nays 42.

Yeas:

Mr. Speaker	Brewer	Brown (Lamar)	Callahan
Branyon	Broadfoot	Brown (Lee)	Cox
Brassell	Brooks	Burkhalter	Davis

Dawkins	Hanby	McNider	Ramey
Dement	Hawkins	Martin	Selman
Edwards (Escambia)	Holliman	Mathews	Shumate
Edwards (Jefferson)	Huddleston	Mathison	Simon
Ferrell	Johnson (Elmore)	Meeks	Steagall
Gilchrist	Kelly	Money	Stembridge
Goodwyn	Lackey	Murphy	Tyson
Gregory	Law	Nice	Vacca
Hall	Lee (Lawrence)	Nolen	Ward
Haltom	Love	Pirkle	

—51

Nays:

Messrs.	Dickson	Johnson (Tallapoosa)	Oakley
Adams	Faulk	Kendall	Payne
Ashworth	Franklin	Killough	Pruitt
Bassett	Gist	Lee (Barbour)	Richardson
Boyd	Grouby	Locke (Choctaw)	Solomon
Bradford	Hare	Locke (Perry)	Speaks
Brannan	Harrison	McClendon	Stokes
Cornett	Harvey	McKay	Taylor
Crook	Hodges	McLendon	Thomas
deGraffenried	Hunt	Molette	Windle
DeSear	Jenkins	Nettles	

—42

Mr. Richardson offered the following amendment to the bill, H. 232, as amended:

Amend Section 13 of said bill by striking out the words "and all administrators, executors, guardians, trustees and other fiduciaries."

On motion of Mr. Brewer the amendment offered by Mr. Richardson was laid upon the table.

Yeas 52; Nays 39.

Yeas:

Mr. Speaker	Dement	Johnson (Elmore)	Nice
Brannan	Edwards (Escambia)	Kelly	Nolen
Brassell	Edwards (Jefferson)	Lackey	Pirkle
Brewer	Ferrell	Law	Reynolds
Broadfoot	Gilchrist	Lee (Lawrence)	Selman
Brooks	Gist	Love	Shumate
Brown (Lamar)	Goodwyn	McNider	Simon
Brown (Lee)	Gregory	Martin	Speaks
Burkhalter	Hall	Mathews	Steagall
Cox	Haltom	Mathison	Stembridge
Davis	Hanby	Meeks	Tyson
Dawkins	Hawkins	Molette	Vacca
deGraffenried	Huddleston	Murphy	Ward

—52

Nays:

Messrs.	Brannan	Faulk	Hodges
Adams	Callahan	Franklin	Holliman
Ashworth	Cornett	Grouby	Hunt
Bassett	Crook	Hare	Jenkins
Boyd	DeSear	Harrison	Johnson (Tallapoosa)
Bradford	Dickson	Harvey	Kendall

Killough	McClendon	Payne	Stokes
Lee (Barbour)	McKay	Pruitt	Taylor
Locke (Choctaw)	Nettles	Richardson	Thomas
Locke (Perry)	Oakley	Solomon	Windle

—39

Mr. Adams offered the following amendment to the bill, H. 232, as amended:

Amend Sec. 21 of H.B. 232 by adding to the 1st paragraph the following:

“Provided further, that the Highway Department shall not expend more than \$100,000 for Preliminary Study or other studies prior to or during construction of such proposed turnpike project.”

The motion of Mr. Brewer to lay on the table the amendment offered by Mr. Adams was lost.

Yeas 44; Nays 54.

Yeas:

Mr. Speaker	Dawkins	Kelly	Pirkle
Branyon	Dement	Lackey	Ramey
Brassell	Edwards (Escambia)	Lee (Lawrence)	Reynolds
Brewer	Edwards (Jefferson)	Locke (Choctaw)	Selman
Broadfoot	Ferrell	Locke (Perry)	Shumate
Brooks	Gregory	Martin	Simon
Brown (Lamar)	Hain	Mathews	Steagall
Brown (Lee)	Halton	Mathison	Stembridge
Burkhalter	Hanby	Money	Tyson
Cox	Hawkins	Murphy	Vacca
Davis	Huddleston	Nice	Ward

—44

Nays:

Messrs.	Gilchrist	Kaul	Nolen
Adams	Gist	Kendall	Oakley
Ashworth	Goodwyn	Killough	Payne
Bassett	Grouby	Kirkham	Perry
Boyd	Hall	Law	Pruitt
Bradford	Hare	Lee (Barbour)	Richardson
Brannan	Harrison	Love	Solomon
Callahan	Harvey	McClendon	Speaks
Crook	Hodges	McKay	Stokes
deGraffenried	Holliman	McLendon	Summerlin
DeSear	Hunt	McNider	Taylor
Dickson	Jenkins	Meeks	Thomas
Faulk	Johnson (Elmore)	Molette	Windle
Franklin	Johnson (Tallapoosa)	Nettles	

—54

And the amendment offered by Mr. Adams was adopted.

Yeas 76; Nays 22.

Yeas:

Messrs.	Boyd	Broadfoot	Crook
Adams	Bradford	Brown (Lee)	deGraffenried
Ashworth	Brannan	Callahan	Dement
Bassett	Brewer	Cox	DeSear

Dickson	Huddleston	Love	Pruitt
Edwards (Jefferson)	Hunt	McClendon	Ramey
Faulk	Jenkins	McKay	Reynolds
Franklin	Johnson (Elmore)	McLendon	Richardson
Gilchrist	Johnson (Tallapoosa)	McNider	Simon
Gist	Kaul	Martin	Solomon
Goodwyn	Kendall	Meeks	Speaks
Gregory	Killough	Molette	Stokes
Grouby	Kirkham	Murphy	Summerlin
Hall	Lackey	Nettles	Taylor
Haltom	Law	Nice	Thomas
Hare	Lee (Barbour)	Nolen	Tyson
Harrison	Lee (Lawrence)	Oakley	Vacca
Harvey	Locke (Choctaw)	Payne	Ward
Hodges	Locke (Perry)	Perry	Windle
Holliman			

—76

Nays:

Mr. Speaker	Davis	Hardy	Pirkle
Branyon	Dawkins	Hawkins	Selman
Brassell	Edwards (Escambia)	Kelly	Shumate
Brooks	Ferrell	Mathews	Steagall
Brown (Lamar)	Hain	Money	Stembridge
Burkhalter	Hanby		

—22

And said bill, H. 232, as amended was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 40.

Yeas:

Mr. Speaker	Edwards (Escambia)	Kelly	Perry
Branyon	Edwards (Jefferson)	Lackey	Ramey
Brassell	Ferrell	Lee (Lawrence)	Reynolds
Brewer	Gilchrist	Love	Selman
Broadfoot	Goodwyn	McKay	Shumate
Brooks	Gregory	McNider	Simon
Brown (Lamar)	Hain	Martin	Speaks
Brown (Lee)	Hall	Mathews	Steagall
Burkhalter	Haltom	Mathison	Stembridge
Callahan	Hanby	Meeks	Taylor
Cox	Hare	Money	Tyson
Davis	Hawkins	Murphy	Vacca
Dawkins	Huddleston	Nice	Ward
Dement	Kaul	Nolen	

—55

Nays:

Messrs.	Dickson	Hunt	Locke (Choctaw)
Adams	Faulk	Jenkins	Locke (Perry)
Ashworth	Franklin	Johnson (Elmore)	McClendon
Bassett	Gist	Johnson (Tallapoosa)	McLendon
Boyd	Grouby	Kendall	Molette
Bradford	Hardy	Killough	Nettles
Crook	Harrison	Kirkham	Oakley
deGraffenried	Hodges	Law	Payne
DeSear	Holliman	Lee (Barbour)	Pruitt

Richardson	Solomon	Stokes	Thomas
Windle			

—40

On motion of Mr. Brewer, his motion to reconsider the vote by which the bill, H. 232, as amended, was passed, was laid upon the table.

Yeas 52; Nays 43.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kelly	Pirkle
Branyon	Ferrell	Lackey	Ramey
Brassell	Gilchrist	Lee (Lawrence)	Reynolds
Brewer	Goodwyn	McNider	Selman
Broadfoot	Gregory	Martin	Shumate
Brooks	Hain	Mathews	Simon
Brown (Lamar)	Hall	Mathison	Speaks
Brown (Lee)	Haltom	Meeks	Steagall
Burkhalter	Hanby	Money	Stembridge
Davis	Hare	Murphy	Tyson
Dawkins	Hawkins	Nice	Vacca
Dement	Huddleston	Nolen	Ward
Edwards (Escambia)	Kaul	Perry	Windle

—52

Nays:

Messrs.	DeSear	Johnson (Elmore)	McKay
Adams	Dickson	Johnson (Tallapoosa)	McLendon
Ashworth	Faulk	Kendall	Nettles
Bassett	Franklin	Killough	Oakley
Boyd	Gist	Kirkham	Payne
Bradford	Grouby	Law	Pruitt
Brannan	Harrison	Lee (Barbour)	Richardson
Callahan	Hodges	Locke (Choctaw)	Solomon
Cox	Holliman	Locke (Perry)	Stokes
Crook	Hunt	Love	Taylor
deGraffenried	Jenkins	McClendon	Thomas

—43

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 132. Relating to St. Clair County: To amend further Act No. 109, H. 322, approved February 20, 1937 (Local Acts of the Special Session of 1936-37, p. 59), which provides for the election of the county superintendent of education, and fixes his compensation, powers, and duties, by increasing the compensation and expense allowance of such officer.

Also:

H. 182. To amend Act No. 301, H. 595, approved July 27, 1951, which authorizes the clerk of the Circuit Court of Lee County to employ clerical assistance (1950-51 Acts, Vol. 1, page 596).

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Smith:

S. 97. Relating to the town of Hurtsboro in Russell County; to alter, re-arrange, and extend the boundaries thereof.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the town of Hurtsboro in Russell County; to alter, re-arrange, and extend the boundaries thereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries of the town of Hurtsboro in Russell County are hereby altered, rearranged and extended so as to include within the corporate limits of said town, in addition to the territory included within the present corporate limits, the following described territory:

Beginning at the NE corner of the NW $\frac{1}{4}$ of section 35, T15N, R26E, thence W along the N Line of said section 35 299.4 ft., thence S 17 degrees 00 minutes E (magnetic) 301.5 ft. to a concrete marker, the NE corner of the present Town of Hurtsboro corporate limits, thence S 17 degrees 00 minutes E (magnetic) along said corporate limits 4340.3 ft. to a concrete marker the point of beginning of the property to be described; thence N 73 degrees 00 minutes E (magnetic) 650.0 ft. to a concrete marker; thence S 17 degrees 00 minutes E (magnetic) 940.0 ft. to a concrete marker, thence S 73 degrees 00 minutes W (magnetic) 650.0 ft. to a concrete marker, the SE corner of the present corporate limits of the Town of Hurtsboro; thence N 17 degrees 00 minutes W (magnetic) 940.0 ft. to the point of beginning; containing 14.0 acres more or less and being located in the S $\frac{1}{2}$ of SE $\frac{1}{4}$ Sec. 35, T15N, R26E, and the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ Sec. 3, T14N, R26E, Russell County, Alabama.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT

THE STATE OF ALABAMA,
RUSSELL COUNTY

Before me Harold E. Poor, Jr., a Notary Public personally appeared Harold E. Poor, Sr., who being duly sworn, deposes and says that

he is publisher of the Phenix City Herald, a Newspaper published in Russell County, and that the attached notice was published in said Newspaper 4 weeks on February four, February 11, February 18, February 25, 1955.

A Bill to be entitled An Act Relating to the Town of Hurtsboro in Russell County.

HAROLD E. POOR, SR.

Sworn to and subscribed before me, this 2 day of March, 1955.

HAROLD E. POOR, JR., N. P.

Also:

By Mr. Flowers:

S. 123. Relating to City of Dothan, Houston County; to provide for the relief of city employee G. J. Parrish, Jr., pursuant to Resolution No. 1740 of said City and the concurrence of its Pension Board by allowing credit for prior employment towards retirement.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LEGISLATION

Notice is hereby given that the following Local Bill will be introduced in the Legislature of the State of Alabama at the next special or regular session:

AN ACT

Relating to City of Dothan, Houston County; to provide for the relief of city employee G. J. Parrish, Jr., pursuant to Resolution No. 1740 of said City and the concurrence of its Pension Board by allowing credit for prior employment towards retirement.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1: That, pursuant to petition of the Board of Commissioners of the City of Dothan and the concurrence of the Pension Board of the Retirement System of said City, City Employee G. J. Parrish, Jr., be and he is hereby credited for employment by said City for the period January 26, 1936 to June 30, 1944, eight years and five months, for retirement purposes.

Section 2: This act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared A. L. Pate, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Houston Herald, a newspaper of general circulation published in City of Dothan, Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of

Alabama, said notice having appeared in the issues of said paper on April 14, April 21, April 28, and May 5, all in the year 1955.

A. L. PATE

Sworn to and subscribed before me May 11, 1955.

ANN L. MILLER,
Notary Public

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 97. Local Legislation No. 1.

S. 123. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 25. Expressing regret over the loss of Mrs. E. O. Cunningham, Mother-in-law of Representative W. E. Oden, and expressing sympathy to family.

J. E. SPEIGHT,
Secretary

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Goodwin, Yarbrough (Randolph), Skidmore, Jones and James:

S. 117. To recognize the Alabama Association of School Board Members as an organization and representative agency of the members of the school boards of the State; to authorize State and local school boards and agencies to cooperate with said association in its programs; and to confer powers and authority upon said Association and the several school boards of the State in carrying out the objectives of the Association.

Also:

By Mr. Vann:

S. 113. To amend Section 313 of Title 2, Code of Alabama (1940), which relates to the adulteration of soda water or other soft drinks or beverages; authorizing and regulating the manufacture and sale of soda water or other soft drinks or beverages containing artificial or non nutritive sweetening which are manufactured for special dietary use by persons requiring a sugar-free diet.

J. E. SPEIGHT
Secretary

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 117. Education.

S. 113. Health.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Coleman, Bradford, Roberts, Lamberth, Flowers, Van Antwerp and Newton:

S. 33. To regulate the sale, possession, displaying, offering for sale and use of fireworks in the State of Alabama. To regulate the periods of sale, provide for public display of fireworks, and to prescribe penalties for any violation of this act or any regulation promulgated under its authority.

J. E. SPEIGHT
Secretary

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 33. Health.

BILLS POSTPONED

On motion of Mr. Goodwyn, consideration of the bill, H. 126, was postponed until the fourteenth legislative day.

On motion of Mr. Johnson (Tallapoosa), consideration of the bill, H. 135, was postponed until the fifteenth legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 100. An Act for the relief of Mary Jackson Brown, by the payment to her of compensation for the death of her former husband, James Eugene Jackson, while he was in the employ and while in the line of and performing his duty as an employee for the City of Montgomery, Montgomery County, Alabama.

Also:

S. 101. An Act for the relief of Bernice Owen McKinney Edwards, by the payment to her of compensation for the death of her former husband, Curtis D. McKinney, while he was in the employ and while in the line of and performing his duty as an employee for the City of Montgomery, Montgomery County, Alabama.

J. E. SPEIGHT,
Secretary

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S.J.R. 16. Expressing sympathy to the surviving members of the family of the late Judge Charles B. Kennamer, a distinguished Alabama citizen.

J. E. SPEIGHT,
Secretary

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING RESUMED

H. 67 POSTPONED

On motion of Mr. Murphy, consideration of the bill, H. 67, was postponed until the twelfth legislative day.

And the bill:

H. 11. To make it unlawful for any person to withdraw or cause to be withdrawn from any state or national bank funds credited to a depositor's account through error or mistake, or to induce any such bank to pay any such funds to any person by making, drawing, uttering or delivering a check, draft or order for the payment of money, with the intent to so induce such bank; and to provide the penalties for violation of this act.

Was taken up.

Mr. Crook offered the following substitute for the bill, H. 11:
Substitute for H.B. 11:

A BILL
TO BE ENTITLED
AN ACT

To make it unlawful for any person to withdraw or cause to be withdrawn from any state or national bank funds credited to a depositor's account through error or mistake, or to induce any such bank to pay any such funds to any person by making, drawing, uttering or delivering a check, draft or order for the payment of money, with the intent to so defraud such bank; and to provide the penalties for violation of this act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any person who with the intent to defraud withdraws or causes to be withdrawn from any state or national bank any funds

which he knows have been credited to the account of a depositor in such bank through mistake or error, or who induces any such bank to pay any such funds to any person by making, drawing, uttering or delivering a check, draft or order for the payment of money, with the intent to defraud such bank, shall, on conviction, be punished as if he had stolen such funds.

Section 2. All laws and parts of laws in conflict with any provision of this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage by the Legislature and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 89; Nays 5.

Yeas:

Mr. Speaker	Edwards (Escambia)	Jenkins	Money
Adams	Edwards (Jefferson)	Johnson (Elmore)	Murphy
Ashworth	Faulk	Johnson (Tallapoosa)	Nettles
Bassett	Ferrell	Kaul	Nice
Boyd	Franklin	Kelly	Nolen
Bradford	Gilchrist	Killough	Oakley
Brannan	Gist	Kirkham	Payne
Branyon	Goodwyn	Lackey	Perry
Brassell	Grouby	Law	Pirkle
Brewer	Hain	Lee (Barbour)	Pruitt
Brooks	Hall	Lee (Lawrence)	Ramey
Brown (Lamar)	Haltom	Locke (Perry)	Richardson
Brown (Lee)	Hanby	Love	Solomon
Burkhalter	Hardy	McClendon	Speaks
Callahan	Hare	McKay	Steagall
Cornett	Harrison	McLendon	Stembridge
Cox	Harvey	McNider	Stokes
Crook	Hawkins	Martin	Summerlin
Davis	Hodges	Mathews	Taylor
Dawkins	Holliman	Mathison	Thomas
deGraffenried	Huddleston	Meeks	Vacca
DeSear	Hunt	Molette	Ward
Dickson			

—89

Nays:

Messrs.	Broadfoot	Dement	Kendall
Selman	Shumate		

—5

And said bill, H. 11, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 13.

Yeas:

Mr. Speaker	Brassell	Cornett	Dickson
Ashworth	Brewer	Cox	Edwards (Escambia)
Bassett	Brooks	Crook	Edwards (Jefferson)
Boyd	Brown (Lamar)	Dawkins	Faulk
Brannan	Brown (Lee)	deGraffenried	Ferrell
Branyon	Callahan	DeSear	Franklin

Gilchrist	Holliman	McClendon	Perry
Gist	Huddleston	McKay	Pirkle
Goodwyn	Hunt	McLendon	Pruitt
Gregory	Jenkins	Martin	Solomon
Hain	Johnson (Elmore)	Mathews	Speaks
Hall	Kaul	Mathison	Steagall
Haltom	Kelly	Molette	Stembridge
Hanby	Killough	Money	Stokes
Hardy	Kirkham	Murphy	Summerlin
Hare	Lackey	Nettles	Taylor
Harrison	Law	Nice	Thomas
Harvey	Lee (Barbour)	Nolen	Vacca
Hawkins	Lee (Lawrence)	Oakley	Ward
Hodges	Love	Payne	

—79

Nays:

Messrs.	Davis	Locke (Choctaw)	Selman
Bradford	Dement	Ramey	Shumate
Broadfoot	Johnson (Tallapoosa)	Richardson	Tyson
Burkhalter	Kendall		

—13

The motion of Mr. Dawkins to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 93, was adopted.

And the bill:

S. 93. To make an additional appropriation to the Department of Finance, Division of Service, for the payment of salaries, repairs and alterations, additions and betterments, and equipment purchases for State buildings for the fiscal year ending September 30, 1955.

Was read a third time at length and passed.

Yeas 64; Nays 18.

Yeas:

Mr. Speaker	Davis	Hare	Money
Ashworth	Dawkins	Harrison	Murphy
Bassett	deGraffenried	Harvey	Nolen
Bradford	Dement	Hawkins	Payne
Branyon	Dickson	Hodges	Pirkle
Brassell	Edwards (Escambia)	Johnson (Tallapoosa)	Selman
Brewer	Edwards (Jefferson)	Kelly	Shumate
Broadfoot	Ferrell	Lackey	Speaks
Brooks	Franklin	Lee (Barbour)	Steagall
Brown (Lamar)	Gilchrist	Lee (Lawrence)	Stembridge
Brown (Lee)	Gist	Love	Stokes
Burkhalter	Goodwyn	McLendon	Summerlin
Callahan	Gregory	McNider	Taylor
Cornett	Hall	Mathews	Thomas
Cox	Haltom	Mathison	Vacca
Crook	Hanby	Molette	Ward

—64

Nays:

Messrs.	Hardy	Killough	Oakley
Boyd	Holliman	Kirkham	Perry
DeSear	Johnson (Elmore)	Law	Richardson
Faulk	Kaul	McKay	Solomon
Hain	Kendall	Nettles	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Skidmore:

S.B. 89. To impose extra, new, and additional duties on the members of the governing body of all cities in the State of Alabama, operating under the commission form of government, having a population of not less than 40,000 nor more than 55,000 inhabitants, according to the Federal Decennial Census of 1950, or which shall hereafter have such population according to any Federal Decennial Census which shall be hereafter taken, and shall not apply to, or have application in, any other city.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 89. Local Legislation No. 1.

BILLS ON THIRD READING RESUMED

The motion of Mr. Fite to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 64, was adopted.

And the bill:

H. 64. TO AMEND SECTION 148 OF TITLE 52 OF THE CODE OF ALABAMA OF 1940 AND TO DEFINE THE WORD "CITY" AS USED THEREIN.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cox	Hain	Kelly
Adams	Crook	Hall	Kendall
Ashworth	Davis	Haltom	Killough
Bassett	deGraffenried	Hanby	Kirkham
Boyd	Dement	Hardy	Lackey
Bradford	DeSear	Hare	Law
Brannan	Dickson	Harrison	Lee (Barbour)
Branyon	Edwards (Escambia)	Harvey	Lee (Lawrence)
Brassell	Edwards (Jefferson)	Hawkins	Locke (Choctaw)
Brewer	Faulk	Hodges	Love
Broadfoot	Ferrell	Holliman	McClendon
Brooks	Franklin	Huddleston	McKay
Brown (Lamar)	Gilchrist	Hunt	McLendon
Brown (Lee)	Gist	Jenkins	McNider
Burkhalter	Goodwyn	Johnson (Elmore)	Martin
Callahan	Gregory	Johnson (Tallapoosa)	Mathews
Cornett	Grouby	Kaul	Mathison

Molette	Payne	Shumate	Taylor
Money	Perry	Solomon	Thomas
Murphy	Pirkle	Steagall	Tyson
Nettles	Ramey	Stembridge	Vacca
Nice	Richardson	Stokes	Ward
Nolen	Selman	Summerlin	Windle
Oakley			

—93

The motion of Mr. Summerlin to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 301, was adopted.

And the bill:

H. 301. To provide for the reclamation, restoration, operation and maintenance of Fort Morgan, in Baldwin County, Alabama, and certain other forts and buildings adjacent thereto; creating the Fort Morgan Historical Commission for the purpose of reclaiming, restoring, operating and maintaining Fort Morgan and certain other forts and buildings adjacent thereto; prescribing the powers, authority and jurisdiction of the commission, and providing for the appointment, compensation, powers, duties and authority of the members of the commission; providing for the appointment of a secretary or historian and other employees by the commission; giving the commission and the members thereof full police power to prefer charges against, and to make arrests of, any person violating any rule or regulation of the commission governing the operation and maintenance of Fort Morgan and the other forts and buildings under the authority and jurisdiction of the commission; giving the commission the authority to designate any employees of the commission as deputy police officers, with full police power to prefer charges against, or to make arrests of, any person violating any rule or regulation governing the operation and maintenance of Fort Morgan and the other forts and buildings under the authority and jurisdiction of the commission; prescribing a penalty for violation of the rules and regulations promulgated and adopted by the commission; and transferring the right to all papers, books, records, stationery, supplies and equipment used in the control, maintenance and operation of Fort Morgan by the Division of State Parks, Monuments, and Historical Sites to the Fort Morgan Historical Commission.

Was taken up.

The motion of Mr. Summerlin to lay on the table the motion of Mr. Brown (Lee) to postpone further consideration of the bill, H. 301, until the next legislative day without losing its place on the Calendar, was lost.

Yeas 29; Nays 61.

Yeas:

Mr. Speaker	Dickson	Holliman	Mathison
Brannan	Edwards (Escambia)	Jenkins	Money
Branyon	Ferrell	Kelly	Ramey
Brassell	Gregory	Killough	Summerlin
Brown (Lamar)	Hall	Law	Taylor
Burkhalter	Hare	Lee (Lawrence)	Tyson
Cornett	Hawkins	Love	Wood
Dement			

—29

Nays:

Messrs.	Adams	Ashworth	Bassett
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Boyd	Gilchrist	Lee (Barbour)	Perry
Bradford	Gist	Locke (Choctaw)	Pirkle
Brewer	Grouby	Locke (Perry)	Pruitt
Broadfoot	Hain	McClendon	Richardson
Brown (Lee)	Haltom	McKay	Selman
Callahan	Hanby	McLendon	Shumate
Cox	Hardy	McNider	Simon
Crook	Hodges	Martin	Solomon
Davis	Huddleston	Molette	Steagall
Dawkins	Hunt	Murphy	Stembridge
deGraffenried	Johnson (Elmore)	Nettles	Thomas
DeSear	Johnson (Tallapoosa)	Nolen	Vacca
Edwards (Jefferson)	Kaul	Oakley	Ward
Faulk	Kirkham	Payne	Windle
Franklin	Lackey		

—61

And the motion of Mr. Brown (Lee) to postpone further consideration of the bill, H. 301, until the next legislative day without losing its place on the Calendar, was adopted.

Yeas 68; Nays 19.

Yeas:

Messrs.	Franklin	Kirkham	Nolen
Adams	Gilchrist	Lackey	Oakley
Ashworth	Gist	Law	Payne
Bassett	Grouby	Lee (Barbour)	Perry
Boyd	Hain	Lee (Lawrence)	Pruitt
Bradford	Haltom	Locke (Choctaw)	Ramey
Brewer	Hanby	Locke (Perry)	Richardson
Broadfoot	Hardy	Love	Selman
Brown (Lee)	Harvey	McClendon	Shumate
Callahan	Hodges	McKay	Simon
Cox	Holliman	McLendon	Solomon
Davis	Huddleston	McNider	Steagall
Dawkins	Hunt	Martin	Stembridge
deGraffenried	Jenkins	Mathews	Thomas
DeSear	Johnson (Elmore)	Molette	Vacca
Edwards (Escambia)	Johnson (Tallapoosa)	Money	Ward
Edwards (Jefferson)	Kaul	Nettles	Windle
Faulk			

—68

Nays:

Mr. Speaker	Cornett	Hare	Stokes
Brannan	Dement	Hawkins	Summerlin
Branyon	Dickson	Killough	Taylor
Brassell	Gregory	Mathison	Wood
Brown (Lamar)	Hall	Murphy	

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RESOLUTIONS

The following resolutions were introduced:

By Mr. Oakley:

H.J.R. 26. Whereas a final decision has now been made by the Supreme Court of the United States in the school segregation cases, and the decision will likely result in much litigation involving the State and its agencies, officers, and instrumentalities; and Whereas Alabama's laws

requiring segregation in public schools have not been nullified or invalidated by direct attack, and must be defined if attacked,

Be it resolved by the House of Representatives, the Senate concurring that the Attorney General is authorized and requested to make a thorough study of what legislation is needed, if any, to enable him and his department to resist all such attacks as may be made on Alabama's laws relating to segregation, and to report his findings, conclusions, and recommendations to the Legislature at the earliest possible date.

On motion of Mr. Oakley the rules were suspended and H.J.R. 26 was adopted.

Also:

By Mr. Oakley:

H.J.R. 27. Whereas, the recent decisions of the United States Supreme Court holding segregation in the public schools unconstitutional directly affect only the operations of the school systems involved in the litigation, and

Whereas, the laws of Alabama requiring segregation in the public schools have not been attacked, or nullified as a result of such decisions; now therefore,

Be it resolved by the House of Representatives of Alabama, the Senate concurring: That the Legislature of Alabama hereby calls upon and requests the presidents of all institutions of higher learning in this State to apply with all vigor our laws requiring segregation in the public schools of Alabama.

Be it further resolved, that the clerk of the House of Representatives transmit a copy of this resolution to the president of each public institution of higher learning in this State.

The motion of Mr. Oakley to suspend the rules in order to bring up for immediate consideration the above and foregoing H.J.R. 27 was lost.

And said resolution H.J.R. 27 was referred to the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 132. Relating to St. Clair County: To amend further Act No. 109, H. 322, approved February 20, 1937 (Local Acts of the Special Session of 1936-37, p. 59), which provides for the election of the county superintendent of education, and fixes his compensation, powers, and duties, by increasing the compensation and expense allowance of such officer.

Also:

H. 182. To amend Act No. 301, H. 595, approved July 27, 1951, which authorizes the clerk of the Circuit Court of Lee County to employ clerical assistance (1950-51 Acts, Vol. 1, page 596).

Also:

H.J.R. 25. Relative to the death of Mrs. E. O. Cunningham, mother-in-law of Representative W. E. Oden.

And finds same correctly enrolled.

RANKIN FITE,
Chairman

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolution hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:20 A.M. On June 7, 1955.

H. 40.

Delivered to the Governor at 4:05 P.M. On June 7, 1955.

H. 132.

H. 182.

H.J.R. 25.

R. T. GOODWYN, JR.,
Clerk

ADJOURNMENT

On motion of Mr. Nice the House adjourned until Friday, June 10, 1955, at nine o'clock A.M.

ELEVENTH DAY

House of Representatives
Montgomery, Alabama
Friday, June 10, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend R. H. Falwell, Jr., Pastor, Normandale Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Ashworth	Bradford	Brassell
Adams	Bassett	Brannan	Brewer
Albea	Boyd	Branyon	Broadfoot

Brooks	Hain	Lee (Barbour)	Perry
Brown (Lamar)	Hall	Lee (Lawrence)	Pirkle
Brown (Lee)	Haltom	Locke (Choctaw)	Pruitt
Burkhalter	Hanby	Locke (Perry)	Ramey
Callahan	Hardy	Love	Reynolds
Cornett	Hare	McClendon	Richardson
Cox	Harvey	McKay	Roberts
Davis	Hawkins	McLendon	Selman
Dawkins	Hodges	McNider	Shumate
deGraffenried	Holliman	Martin	Simon
Dement	Huddleston	Mathews	Solomon
DeSear	Hunt	Mathison	Speaks
Dickson	Jenkins	Meeks	Steagall
Edwards (Escambia)	Johnson (Elmore)	Molette	Stembridge
Edwards (Jefferson)	Johnson (Tallapoosa)	Money	Stokes
Faulk	Kaul	Murphy	Summerlin
Ferrell	Kelly	Nettles	Taylor
Franklin	Kendall	Nice	Thomas
Gist	Killough	Nolen	Tyson
Goodwyn	Kirkham	Oakley	Vacca
Gregory	Lackey	Oden	Ward
Grouby	Law	Payne	Windle

—100

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the tenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Dawkins, the reading at length of the Journal of the House for the tenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the tenth legislative day was approved.

MOTION IN WRITING

Mr. Pirkle offered the following Motion in Writing:

Upon examination of the Journal of the House for the last legislative day I find that I was not recorded as voting on House Bill 232 (toll road bridge bill). I wish for the record to show that I was at my desk and thought that I had voted "aye" on the bill when same was up for passage, as I was in favor of the passage of the bill.

MOTION IN WRITING BY MR. PIRKLE

Received, read and ordered inserted in the Journal.

MOTION IN WRITING

Mr. McKay offered the following Motion in Writing:

When House Bill 232 (toll road bill) was up for passage on the last legislative day, I originally voted "nay", as I was against the bill. However, the records will show that I voted "aye" since I changed my vote before the totals were announced from "nay" to "aye" in order to reconsider the vote by which said bill passed.

MOTION IN WRITING BY MR. McKAY

Received, read and ordered inserted in the Journal.

BILLS ON SECOND READING

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 385 (with substitute). To provide a method for the admission of facts and of the genuineness of documents in civil cases.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 386. To provide a method of pre-trial procedure for the purpose of simplifying and formulating the issues in civil cases.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 355 (with substitute). To regulate further the registration of certain motor vehicles; prohibiting the registration of trucks, semi-trailer trucks, road tractors, or other like motor vehicles used for hire or for commercial purposes which are owned by non-residents, except as otherwise provided in Section 707 of Title 51, of the 1940 Code; requiring every person, firm, or corporation who applies for the registration of a truck, semi-trailer truck, or road tractor, or other like motor vehicle used for hire or commercial purposes to state under oath his name and address, and whether the vehicle is owned by a resident or by a non-resident; and making it a felony for any person to make a false statement in applying for the registration of a motor vehicle pursuant to this Act.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 85 (with amendment). Relating to judicial procedure; providing for a three-judge special court to hear and determine applications for injunctions restraining the enforcement, operation, or execution of orders or decisions of the Alabama Public Service Commission.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 371. To amend Section 6 of Title 14, Code of Alabama (1940), which relates to the crime of kidnapping; raising the maximum sentence from ten to twenty-five years.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the follow-

ing bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

H. 183. To amend Section 187 of Title 13 of the Code of Alabama of 1940 relating to the appointment and compensation of bailiffs.

H. 244. To amend further Section 752 of Title 51, Code of Alabama (1940), and to define further the term "wholesale sale" or "sale at wholesale" within the meaning of the sales tax act.

H. 261. To require the Attorney General to compile and have printed all constitutional and statutory provisions of this State relating to the registration and qualifications of electors and to provide a copy of such compilation for each member of the various boards of registrars.

Mr. Adams Chairman of the Standing Committee on Local Government reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 194 (with substitute). To authorize county governing bodies to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; prescribing the procedure for levying and collecting such assessments; and providing fees or allowances to officers performing duties relative to the assessing and collecting of such assessments.

Mr. Adams Chairman of the Standing Committee on Local Government reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were read a second time and placed on the Calendar, to-wit:

H. 314. To authorize municipalities in this state to acquire properties suitable for use as post offices, to lease such properties to the United States Government subject to certain requirements, to finance the acquisition of such properties by the issuance of negotiable revenue bonds payable solely out of the rental of such properties and to secure the bonds by pledges of such rentals and by mortgages on such properties, and to make or accept contributions toward the cost of such properties; to authorize the refunding of bonds issued hereunder; to provide remedies in the event of default respecting bond issued hereunder, to exempt from taxation the properties acquired under authority of this act and the rentals thereof, the bonds and income therefrom, mortgages executed as security therefor and lease agreements hereunder; to provide that bonds and agreements made in connection therewith shall not constitute an indebtedness of the municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for savings banks and insurance companies organized under Alabama laws; to prescribe the purposes for which the proceeds from the sale of such bonds may be used; and to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

H. 315. To amend Sections 308, 309, 310, 312 as heretofore amended, 313, 314, 315, 325 as heretofore amended, 327, 329, and 340 of Title 37 of the Code of Alabama of 1940, all of said Sections being in Subdivision 3 of Article 2 of Chapter 6 of said Title 37, so as to confer on each county and municipality in the state the same powers with respect to

the acquisition and financing of electric systems that are conferred by said subdivision with respect to water, sanitary sewer, and gas systems; so as to authorize each county or municipality to consolidate any two or more of its systems, including water, sanitary sewer, gas and electric systems; so as to authorize each county and municipality to issue its revenue bonds (a) for financing the acquisition, improvement, enlargement, extension and repair of any one or more of its water, sanitary sewer, gas, and electric systems, or any such consolidated system or systems; (b) for refunding any bonds heretofore or hereafter issued under said subdivision, or (c) for the combined purpose of such financing and such refunding; so as to authorize such county and municipality to make its revenue bonds hereafter issued under said subdivision payable solely out of the revenues from any one or more of its said systems, regardless of the system or systems for the benefit of which such revenue bonds may be issued and regardless of whether or not any of said systems may have been consolidated; so as to make additional provisions with respect to bonds hereafter issued under said subdivision and statutory mortgage liens hereafter created thereunder; so as to revise the provisions of said subdivision respecting the custody and disposition of the revenues from systems hereafter made subject to such liens; so as to provide that the due recording of a notice of such lien shall operate as constructive notice thereof; so as to revise the provisions of said subdivision respecting publication of notice of the authorization of bonds thereunder; and to repeal Section 331, 332 and 333 of said Title 37.

H. 316. To authorize the municipalities of the state to charge a higher rate for water, gas, and electricity, the use of sewerage, and for services, rendered beyond the corporate limits.

H. 317. To grant immunity from tort liability to municipal fire departments in acts performed beyond the corporate limits and police jurisdiction of cities and towns.

H. 318. To amend Section 26 of Title 29 of the Code of 1940 relating to filing of applications for licenses.

H. 321. To amend Section 129 of Title 2 of the Code of 1940 relating to permit fee.

H. 322. To amend Section 504 of Title 37 of the Code of 1940 relating to statements, claims, or demands for injury filed:

H. 324. To amend Section 97 of Title 37 of the Code of 1940 relating to government of cities; recorder, election, salary.

H. 325. To amend Section 404 of Title 37 of the Code of 1940 relating to election of mayor and aldermen; legislative functions.

H. 326. To amend further Section 440 of Title 37 of the Code of 1940 relating to municipal operations.

H. 327. To amend further Section 483 of Title 37 of the Code of 1940 relating to census taken in cities or towns.

Mr. Adams Chairman of the Standing Committee on Local Government reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 328 (with amendment). Relating to insurance; amending further Section 317 of Title 28, Code of Alabama (1940), which established the State Insurance Fund.

Mr. Adams Chairman of the Standing Committee on Local Government reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 375. Authorizing any gas district now or hereafter organized in this state under the provisions of Act No. 762, adopted at the 1951 Regular Session of the Legislature of Alabama, to promulgate rules and regulations governing and relating to the installation, connection, maintenance and servicing of gas fixtures, pipes, appliances and equipment with respect to properties served by it and requiring that any person so installing, connecting, maintaining or servicing any such fixtures, pipes, appliances and equipment be licensed by it, specifying the manner of adoption of such rules and regulations, and providing that no such rules or regulations shall supersede any applicable rules or regulations established by any municipality in this state.

Mr. Murphy Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 89. To impose extra, new, and additional duties on the members of the governing body of all cities in the State of Alabama, operating under the commission form of government, having a population of not less than 40,000 nor more than 55,000 inhabitants, according to the Federal Decennial Census of 1950, or which shall hereafter have such population according to any Federal Decennial Census which shall be hereafter taken, and shall not apply to, or have application in, any other city.

S. 97. Relating to the town of Hurtsboro in Russell County; to alter, rearrange, and extend the boundaries thereof.

H. 352. To authorize and empower the Sheriff of Butler County, Alabama to appoint an additional Deputy; to authorize the Court of County Commissioners to fix the salary of said Deputy; and to provide the method of pay of said Deputy.

H. 354. Relating to Clarke County; authorizing nighttime hunting of raccoons and opossums under certain conditions.

H. 356. To alter, rearrange, and extend the boundaries of the City of Selma in Dallas County.

H. 357. To amend Section One of an Act entitled "An Act to Allow the Sheriff of DeKalb County, Alabama, an Additional Deputy Sheriff to That Now Provided By Law, to Fix the Salary of Said Deputy and to Make Same Payable Out of the General Fund of DeKalb County In Monthly Installments," said Act being Act No. 715, approved by the Governor, September 5, 1951.

H. 362. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of every such county to purchase such uniforms as the governing body deems necessary for the use of uniformed personnel, deputies and other employees of the sheriff of the county.

H. 379. Relating to Perry County; Prescribing the manner of registering and paying claims of witnesses summoned and attending on behalf of the State in criminal cases in the county court of the county.

S. 123. Relating to City of Dothan, Houston County; to provide for the relief of city employee G. J. Parrish, Jr., pursuant to Resolution No. 1740 of said City and the concurrence of its Pension Board by allowing credit for prior employment towards retirement.

Mr. Branyon Chairman of the Standing Committee on Constitution & Elections reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 372. To propose an amendment to the Constitution of Alabama relative to the authorization of additional taxes on the taxable property within each school district in each county of the State of Alabama for public school purposes.

The above bill was read a second time at length as required by the Constitution.

H. 252. Proposing an amendment to the Constitution of Alabama relative to the abridgement of the terms of county and municipal officers holding office by election.

The above bill was read a second time at length as required by the Constitution.

Mr. Murphy Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 351. To extend, alter and rearrange the boundary lines and corporate limits of the City of Union Springs, in Bullock County, Alabama.

INTRODUCTION OF BILLS

Upon a call of counties bill were introduced, severally read one time and referred to appropriate standing committees as follows:

By Mr. Hawkins:

H. 392. To amend further Section 144 of Title 45, Code of Alabama (1940), which relates to the sheriff's allowance for feeding prisoners.

Ways and Means.

By Mr. Hawkins:

H. 393. To provide for time of trial or dismissal of charges pending against defendants or charges filed against defendants who are serving sentences in the penitentiary.

Judiciary.

By Mr. Haltom:

H. 394. To amend further Section 884 of Title 51, Code 1940, which relates to liens for ad valorem taxes.

Judiciary.

By Messrs. Meeks, Nice, Perry, Vacca, Edwards (Jefferson), Lackey, and Kaul:

H. 395. To provide for meetings and times of meetings of the governing body of any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding Federal census.

Local Legislation No. 2.

By Messrs. Callahan and deGraffenried:

H. 396. To amend Section 102 of Title 7 of the Code of Alabama of 1940 (pertaining to suits by and against infants).

Judiciary.

By Mr. Oden (with notice and proof):

H. 397. Relating to Franklin County: to levy and impose additional privilege license and excise taxes for school purposes paralleling the state sales and use taxes as prescribed in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended; to provide for the collection of such taxes by the State Department of Revenue; to provide for the distribution of the proceeds thereof; and to provide for the enforcement of this Act.

Local Legislation No. 1.

Notice and Proof H. 397:

LEGAL NOTICE

STATE OF ALABAMA, COUNTY OF FRANKLIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Franklin County: to levy and impose additional privilege license and excise taxes for school purposes paralleling the state sales and use taxes as prescribed in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended; to provide for the collection of such taxes by the State Department of Revenue; to provide for the distribution of the proceeds thereof; and to provide for the enforcement of this Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby levied a privilege or license tax against the person on account of business activities, in addition to all other taxes of every kind now imposed by law, in an amount to be determined by the application of rates against gross sales or gross receipts, as the case may be, as follows:

1) Upon every person, firm, or corporation engaged or continuing within Franklin County in business selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character, except bonds or other evidences of debt or stocks, and amount equal to one percent of the gross proceeds of the sales of the business.

2) Upon every person, firm, or corporation engaged or continuing within Franklin County in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution or any athletic association thereof, or other association whether such institution or association be denominational or a state, county or city school or other institution, association or school) skating rinks, race tracks, golf courses, or any

other place at which any exhibition, display, amusement, or entertainment is offered to the public or any place or places where an admission fee is charged (including public bathing places, public dance halls of every kind and description) conducted or carried on within Franklin County, an amount equal to one percent of the gross receipts of any such business.

3) Upon every person, firm, or corporation engaged or continuing within Franklin County in the business of selling any automotive vehicle, an amount equal to one-fourth of one percent of the gross proceeds of sale of said automotive vehicle.

4) An excise tax on the storage, use, or other consumption in Franklin County of tangible personal property purchased at retail, except automotive vehicles, at the rate of one percent of the sales price of such property.

5) An excise tax on the storage, use, or other consumption in Franklin County of any automotive vehicle purchased at retail, at the rate of one-fourth of one percent of the sales price of such automotive vehicle.

The taxes authorized to be levied by this Act shall be subject to all exemptions, definitions, proceedings, rules, regulations, requirements, fines, penalties, punishments and deductions as are provided in Articles 10 and 11, Chapter 20, Title 51, of the Code of Alabama (1940) and amendments thereof, except where the same are inapplicable or where they are herein otherwise provided for.

Every person storing, using, or otherwise consuming in Franklin County tangible personal property purchased at retail shall be liable for the tax authorized to be imposed by paragraphs 4 or 5 above, and the liability shall not be extinguished until the tax has been paid, provided that a receipt from a retailer maintaining a place of business in Franklin County showing the payment of said tax shall be sufficient to relieve the purchase from further liability for a tax to which such receipt may refer.

Section 2. The taxes herein levied shall be collected by the Department of Revenue of the State of Alabama, at the same time and along with the collection by the department of taxes levied and collected for the State of Alabama under the provisions of Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended, and all reports now required to be made to the Commissioner of Revenue shall, on request of the Department of Revenue, be available for inspection by the chairman of the governing body of Franklin County, or his designated agent, at reasonable times during business hours. The State Department of Revenue shall prepare and distribute such reports, forms and other information as may be necessary for the collection of the county taxes levied by this Act, and shall have all the authority and duties in connection with such taxes as are now given by law to the Department of Revenue of the Commissioner of Revenue in connection with the collection of the State's sales and use taxes provided for by Articles 10 and 11 of Chapter 20, Title 51, Code of Alabama (1940), as amended. It shall be the duty of the Commissioner of Revenue to pay into the state treasury all taxes collected under this Act; and on or before the first day of the following month, the Commissioner shall certify to the comptroller the amount of special taxes levied and collected under the provisions of this Act for the use and benefit of Franklin County during the calendar month immediately preceding the making of such certificate. Whereupon it shall be the duty of the Comptroller to issue his warrants on the State Treasurer, payable as follows, for the amount

so certified by the Commissioner of Revenue as having been collected for the use of the county and paid into the state treasury. One-fourth of the amount so certified by the Commissioner of Revenue as having been collected for the use of the county shall be paid to the custodian of the public school funds of the City of Russellville, and shall be used for school purposes in the public school system of the City of Russellville. The remaining three-fourths of the amount so certified by the Commissioner of Revenue as having been collected for the use of the county shall be paid to the custodian of the county school funds of Franklin County, and shall be used for school purposes exclusively. The Department of Revenue shall charge Franklin County for collecting said special taxes herein levied a percentage of said taxes to be computed on the basis that the total cost of collecting the state sales and use taxes bears to the total of said state sales and use taxes collected for each fiscal year ending September 30. Such charge for collecting said special taxes shall be deducted once each year from the special sales and special use taxes collected in the month of September of each year before certifying the amount of special sales and special use taxes due Franklin County for said month. The Department of Revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes authorized to be levied by this Act, and to otherwise enforce the provisions of this Act, including any litigation involving said Act; and said Department of Revenue shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for Franklin County.

Section 3. The taxes levied herein, together with the interest and penalties which are authorized by this Act, shall be a lien upon the property of any person, firm, or corporation liable for said taxes under the provisions of this Act, and all of the provisions of the revenue laws of the State of Alabama applying to or relating to the enforcement of levied by this Act, and to otherwise enforce the provisions of this Act, including any litigation involving said Act; and said Department of Revenue shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for Franklin County.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

17-4

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Franklin Citizen-Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Apr. 28, May 5, May 12, and May 19, all in the year 1955.

CLAUDE E. SPARKS.

Sworn to and subscribed before me 1st June, 1955.

CADELLE R. MALONE,
Notary Public.

By Mr. Oden:

H. 398. To provide an expense allowance to members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 24,500 nor more than 25,725 according to the last or any subsequent federal decennial census.

Local Legislation No. 1.

By Messrs. Oden, Brown (Lamar), Gist, Lee (Lawrence), Cox, Ferrell, Gregory, Kelly, Branyon, Davis, Dement, Shumate, Huddleston, Broadfoot, Haltom, Selman, Callahan, Burkhalter, Franklin, Fite, Money, Reynolds, Edwards (Jefferson), Lackey, Vacca, Meeks, Nice, Martin, and Law:

H. 399. To provide State aid for promotion and development of livestock throughout the State of Alabama by making an appropriation from the General Fund of the State Treasury to the Department of Agriculture and Industries to be expended by the Commissioner of such Department upon approval of the State Board of Agriculture and Industries, for the purpose of aiding, promoting and fostering the development of purebred livestock by constructing and improving housing, exhibit and show facilities at locations throughout the State of Alabama; to authorize the Commissioner of Agriculture and Industries, with the approval of said Board, to execute contracts or agreements to carry out the provisions of this Act, including authority to execute such contracts and agreements with the Alabama State Fair Authority and others necessary to effectuate the purpose of this Act; to authorize the Commissioner of Agriculture and Industries, with the approval of said Board, to acquire title to real estate in the name of the State of Alabama in order that livestock display, show and exhibit facilities may be constructed; and for other related purposes.

Ways and Means.

By Messrs. Oden, Hawkins and Dawkins:

H. 400. Proposing an amendment of the Constitution of 1901 to regulate the compensation and expenses of members of the Legislature.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Oden, Hawkins and Dawkins:

H. 401. To make an appropriation of twenty-five thousand dollars to the Department of Archives and History for the purpose of removing and preserving certain World War II selective service records.

Ways and Means.

By Messrs. Oden, Hawkins and Dawkins:

H. 402. Relating to public health; providing that the state board of health shall furnish, for the voluntary inoculation of the school children of this State, at the expense of the State, all prophylactic vaccines and serums approved and designated by the board as necessary to the health and safety of the children.

Ways and Means.

H. 403. To repeal Section 342 of Title 15, Code of Alabama (1940), which permits the court to impose a sentence at hard labor for failure to pay a judgment for court costs.

Ways and Means.

By Messrs. Oden, Hawkins and Dawkins:

H. 404. To create and establish a commission to investigate and study the medical licensure system of the State of Alabama to determine the cause of the shortage of doctors in certain localities in the State; empowering such commission to secure testimony and evidence by subpoena, providing for the compulsory attendance of witnesses, and for the punishment of contempt, and making an appropriation for the purpose of carrying out the provisions of this Act.

Ways and Means.

By Messrs. Oden, Gregory, and Davis:

H. 405. Abolishing the state board of health and the state committee of public health as presently constituted, and creating in lieu thereof the state board of public health; providing for the appointment, terms, compensation, powers, duties and authority of members of the state board of public health; fixing the jurisdiction of the state board of public health, and prescribing the powers and authority of the board; providing for the appointment, term, compensation, powers, duties and authority of the state health officer; and repealing conflicting laws.

Judiciary.

By Messrs. Oden, Hawkins, and Dawkins:

H. 406. Proposing an amendment to the Constitution of Alabama providing for a Board of Apportionment to apportion the membership in the Legislature in the event the Legislature fails to make such an apportionment.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Oden, Hawkins and Dawkins:

H. 407. Proposing an amendment of the Constitution of 1901: To provide for the retirement of the Governor on part pay.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Oden and Gregory:

H. 408. Concerning the eligibility of physicians for membership on the staff of certain hospitals of the state; requiring any hospital which receives financial assistance from public funds, or is subsidized by exemption or relief from the payment of taxes, except hospitals owned or operated by the federal government, to make its facilities available to certain qualified physicians and to admit such physicians to staff membership.

Judiciary.

By Mr. Law:

H. 409. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Elmore County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Law and Johnson (Elmore) (with notice and proof):

H. 410. For the relief of A. B. Richardson of Elmore County: Authorizing and empowering the court of county commissioners, board of revenue, or like governing body of Elmore County to appropriate from

the Gasoline Tax Fund in the county treasury the sum of five hundred dollars (\$500.00) to compensate A. B. Richardson for injuries suffered by him while acting within the line and scope of his employment with the road and bridge department of Elmore County on March 4, 1955.

Local Legislation No. 1.

Notice and Proof H. 410:

**STATE OF ALABAMA
COUNTY OF ELMORE**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

For the relief of A. B. Richardson of Elmore County: Authorizing and empowering the court of county commissioners, board of revenue, or like body of Elmore County to appropriate from the gasoline tax fund in the county treasury the sum of five hundred dollars (\$500.00) to compensate A. B. Richardson for personal injuries suffered by him while acting within the line and scope of his employment with the road and bridge department of Elmore County on or about March 4, 1955.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners, board of revenue, or like governing body of Elmore County is authorized and empowered to appropriate from the gasoline tax fund in the county treasury the sum of five hundred dollars (\$500.00) to be paid as compensation to A. B. Richardson for personal injuries sustained by him while acting within the line and scope of his employment with the road and bridge department of Elmore County, District Four, on or before March 4, 1955.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 5may4t

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF ELMORE**

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. H. Golson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was the Publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 5 May, 12 May, 19 May, and 26 May, all in the year 1955.

W. H. GOLSON.

Sworn to and subscribed before me 30 May, 1955.

**ELAINE HOLLEY,
Notary Public.**

By Messrs. Law and Johnson (Elmore) (with notice and proof):

H. 411. Relating to Elmore County; providing for the reidentification of each qualified elector of Elmore County; requiring the board

of registrars to purge the lists of qualified electors; and providing a penalty for willfully making a false statement in connection with re-identification.

Local Legislation No. 1.

Notice and Proof H. 411:

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Elmore County; providing for the reidentification of each qualified elector of Elmore County; requiring the board of registrars to purge the lists of qualified electors; and providing a penalty for willfully making a false statement in connection with reidentification.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of registrars in Elmore County is hereby directed to purge all lists of the qualified electors in the county to the end that the names of all who are deceased or non-residents of the county, or who have otherwise been disqualified from voting therein, shall be removed from such lists, and to the end that the name of each qualified elector shall appear only on the list of qualified electors for the district and precinct in which he resides.

Section 2. The board of registrars shall have authority to omit and remove from the lists of qualified electors in the county the name of any person who fails to reidentify himself or herself to the board of registrars in one of the ways hereinafter provided, prior to the first day of July, 1957; provided that no one who has registered as a qualified elector of the county since January 1, 1955, shall be required to reidentify himself or herself. Any person removed from the list of qualified electors, as herein provided, does not cease to be a qualified elector and shall not be subject to re-registration, but shall be subject only to the requirement that he or she reidentify himself or herself as a duly registered elector before being entitled to be listed on the list of qualified electors in the county.

Section 3. A voter may reidentify himself or herself in any one of the following ways:

(a) A voter may reidentify himself or herself by appearing in person at the office of the board of registrars, or one of the duly authorized employees of the board of registrars, and answer such questions and submit such proof as may be set forth hereinafter to establish the voter's identity and place of legal residence, and to determine whether or not the voter has become disqualified from voting in the county. Reidentification shall be made by answering the questionnaire hereinafter provided for.

(b) A voter may also reidentify himself or herself at any election at which the voter votes prior to July 1, 1957, by answering and signing the questionnaire hereinafter provided for, in the presence of a clerk, manager, inspector, or returning officer at such election who also shall sign the questionnaire as an attesting witness. The returning officer shall transmit each signed questionnaire to the board of registrars. The board of registrars shall furnish a sufficient number of blank questionnaires to the sheriff or party executive committee, or other officer,

agency, or committee charged with the duty of sending out election supplies, who shall cause a sufficient number thereof to be sent to each voting place at each election to be held prior to July 1, 1957.

(c) A voter who is on active duty in the Army, Navy or Air Force of the United States, or the husband or wife of a member of the Armed Forces on active duty, may also reidentify himself or herself by filling in and mailing to the board of registrars the completed answers to such questions as set forth in the questionnaire hereinafter detailed, and the questionnaire must be witnessed by a commissioned officer of the Army, Navy, or Air Force.

(d) The questionnaire to reidentify a voter shall be in substantially the following form:

VOTERS REIDENTIFICATION QUESTIONNAIRE

Elmore County, Alabama

Date, 195.....

Name
 First Middle Last

Legal Residence Address:
 Street

City or Town:..... State:.....

Date of Birth:..... Sex..... Color.....

I now vote and I am a qualified elector in Precinct or Beat No.....
 Box No....., Elmore County and I have not been disqualified
 from voting in this County.

I have resided in Precinct or Beat No..... for the past three
 months.

Signed:
 Signature of Voter

WITNESSED before me this..... day of....., 195.....

.....
 Registrar — Election Official — Commissioned Officer U. S. Armed
 Forces

Section 4. Any qualified elector in the county who shall have his or her name omitted or removed from the list of qualified electors in the country by reason of his or her failure to reidentify himself or herself as hereinabove provided, or whose name may be otherwise purged therefrom, shall be entitled to have his or her name restored to the list of qualified electors by appearing in person and reidentifying himself or herself in person at the office of the board of registrars, in the manner hereinabove provided for; however, every such qualified elector must have reidentified himself or herself at least thirty (30) days prior to voting.

Section 5. The board of registrars shall meet as often as necessary and on such dates as the board may by order fix for the purpose of purging the list of qualified electors of the county. The board may meet any number of days not exceeding thirty (30) days per annum in excess of the maximum now provided by law for the purpose of purging such list, and shall be entitled to the same per diem allowances for meeting on such dates, in excess of the maximum, as now provided by law.

Section 6. Any person who willfully makes a false statement in answer to the reidentification questionnaire to the board of registrars, or the duly authorized employee of the board of registrars, or to the clerk, manager, inspector or returning officer or to the commissioned officer of the United States Army, Navy or Air Force shall be guilty of perjury, and upon conviction shall be punished by imprisonment in the penitentiary for not less than one year nor more than five years.

Section 7. The governing body of the county is hereby authorized to furnish to the board of registrars the supplies, equipment, printed form, stationery and stamps necessary for the reidentification of voters.

Section 8. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.
28 Apr. 4t

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. H. Golson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 28, May 5, May 12, and May 19, all in the year 1955.

W. H. GOLSON.

Sworn to and subscribed before me May 19, 1955.

ELAINE HOLLEY,
Notary Public.

By Messrs. Law and Johnson (Elmore) (with notice and proof):

H. 412. Relating to Elmore County; authorizing and directing the court of county commissioners of Elmore County to provide for the installation and use of voting machines throughout the county in all general, special or primary elections.

Local Legislation No. 1.

Notice and Proof H. 412:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Elmore County; authorizing and directing the court of county commissioners of Elmore County to provide for the installation and use of voting machines throughout the county in all general, special or primary elections.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners of Elmore County is hereby authorized, directed and required to provide for the installation and use of voting machines throughout the county for registering or recording and computing the vote at all general, special, or primary elections hereafter held within the county, without submitting the question as to whether or not voting machines shall be used in such elections to the vote of the electors of the county.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 21apr4t

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. H. Golson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 21, April 28, May 5, and May 12, all in the year 1955.

W. H. GOLSON.

Sworn to and subscribed before me May 19, 1955.

ELAINE HOLLEY,
Notary Public.

By Messrs. Law and Johnson (Elmore) (with notice and proof):

H. 413. Relating to Elmore County; changing the method of compensating certain county officers; placing such officers on a salary; and providing for their assistants, and the office space and equipment necessary for the conduct of their offices.

Local Legislation No. 1.

Notice and Proof H. 413:

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(R2987:5-9-55)

A BILL
TO BE ENTITLED
AN ACT

Relating to Elmore County; changing the method of compensating certain county officers; placing such officers on salary; and providing for their assistance, and the office space and equipment necessary for the conduct of their offices.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following officers of Elmore County shall receive the following annual salaries in lieu of all other compensation:

- (a) Judge of Probate—seven thousand two hundred dollars (\$7,200);
- (b) Sheriff—six thousand dollars (\$6,000);
- (c) Tax Assessor—five thousand four hundred dollars (\$5,400);
- (d) Tax Collector—five thousand four hundred dollars (\$5,400);
- (e) Circuit Clerk—six thousand dollars (\$6,000), for performing the duties of clerk and register of the circuit court.

Section 2. The governing body of Elmore County shall provide the officers enumerated in Section 1 of this Act allowances for the purpose of hiring clerks, assistants, and deputies, as follows:

- (a) Office of the Judge of Probate: Five thousand eight hundred dollars (\$5,800) annually;
- (b) Office of the Sheriff: Three thousand dollars (\$3,000) annually;
- (c) Office of the Tax Assessor; One clerk at an annual salary of three thousand dollars (\$3,000);
- (d) Office of the Tax Collector: One clerk at an annual salary of three thousand dollars (\$3,000);
- (e) Office of the Circuit Clerk: Five thousand four hundred dollars (\$5,400) annually.

Section 3. All fees, commissions, allowances, percentages, charges, and costs heretofore collected for the use of any of the officers enumerated in Section 1 of this Act shall be collected for the use of the county and paid into the general fund of the county. The compensation of the officers enumerated in Section 1 of this Act and of their clerks, deputies, and assistants shall be paid in equal monthly installments from the general fund of the county in the same manner as employees of the county are paid.

Section 4. The governing body of Elmore County shall provide the Judge of Probate, Sheriff, Tax Assessor, Tax Collector, and the Circuit Clerk with the necessary quarters, books, stationery, office equipment, supplies, postage, and other conveniences and equipment for the proper and efficient conduct of the affairs of their offices, including the purchase of automobiles for the use of the Sheriff and his deputies on official business.

Section 5. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective January 1, 1956; provided that there is adopted an amendment to the Constitution of Alabama authorizing the Legislature to fix, alter, and regulate the fees, commissions, percentages, allowances, or salaries of, and the method of compensating, the Judge of Probate, Sheriff, Tax Assessor, Tax Collector, Circuit Clerk, and Register in Chancery of Elmore County.

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PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. H. Golson, who, being by me first

duly sworn, deposes and says that during the times herein mentioned he was the Publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 12 May, 19 May, 26 May, and 2 June, all in the year 1955.

W. H. GOLSON.

Sworn to and subscribed before me 2 June, 1955.

ELAINE HOLLEY,
Notary Public.

By Mr. Cox:

H. 414: To amend further Section 111, Title 22, Code of Alabama (1940), as amended, which prescribes a penalty for a dog found not wearing evidence of inoculation against rabies.

Health.

By Mr. Cox:

H. 415. To amend further Section 115, Title 22, Code of Alabama (1940), as amended, which prescribes penalties for violations of the laws providing for the control of rabies.

Health.

By Mr. Cox:

H. 416. To amend Section 106 of Title 22, Code of Alabama (1940), which relates to the enforcement of laws providing for the control of rabies.

Health.

By Mr. Brown (Lamar)

H. 417. To amend further Section 91 of Title 8, Code of Alabama (1940), which relates to licenses to capture and kill fur-bearing animals.

Judiciary.

By Messrs. Murphy and Simon:

H. 418. To create a Hospital Board in all counties of this state having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent Federal decennial census, provide for the appointment of the members of said Board, their terms of office and compensation, to require said counties and all municipalities located within said counties to make payments to said Hospital Board to aid in the operation of a hospital in said counties and to provide care for charity patients, to require said Hospital Board to operate a hospital in said counties and to prescribe the powers and duties of said Hospital Board, and to provide for meetings of said Board and a fiscal year for the operations of said Hospital Board.

Local Legislation No. 1.

By Messrs. Tyson, Murphy and Simon (with notice and proof):

H. 419. To fix the salary of the tax collector of Mobile County, and to regulate the payment thereof.

Local Legislation No. 1.

Notice and Proof H. 419:

LEGAL NOTICE

(3037:4-16-55)

State of Alabama, County of Mobile:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To fix the salary of the tax collector of Mobile County, and to regulate the payment thereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The tax collector of Mobile County shall be compensated on a salary basis. He shall be paid a salary of seventy-two hundred dollars per annum. Such salary shall be paid in twelve equal monthly installments in the manner prescribed by Act No. 241, H. 401, approved August 15, 1935. Such salary shall be in lieu of all other compensation, fees, commissions, perquisites and emoluments for the performance of the duties of his office, or for the performance of any other act or service connected with his office.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall take effect at the commencement of the term of office of the tax collector of Mobile County which begins next after the passage and approval of this Act.

OTTO E. SIMON
M. THOMAS MURPHY
JOHN M. TYSON
GARET VAN ANTWERP
Register, May 13, 20, 27, June 3.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF MOBILE**

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. M. Curran, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Auditor of the The Mobile Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 13, May 20, May 27, and June 3, all in the year 1955.

W. M. CURRAN.

Sworn to and subscribed before me June 7, 1955.

ALVIN A. JOHNSON,
Notary Public.

BILLS ON THIRD READING

H. 270. Relating to Mobile County: To regulate further the office of the judge of probate of said county; authorizing and empowering the judge of probate to create and establish divisions for the performance of the functions and duties of his office, to assign function and duties to such divisions, and to delegate certain powers to the chiefs of such divisions.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker

Adams

Ashworth

Boyd

Bradford	Edwards (Jefferson)	Johnson (Elmore)	Nolen
Brannan	Faulk	Johnson (Tallapoosa)	Oakley
Branyon	Ferrell	Kendall	Oden
Brassell	Franklin	Kirkham	Pirkle
Brewer	Goodwyn	Lackey	Ramey
Broadfoot	Gregory	Law	Roberts
Brooks	Grouby	Lee (Barbour)	Selman
Brown (Lamar)	Hain	Locke (Perry)	Shumate
Burkhalter	Hall	Love	Simon
Callahan	Haltom	McClendon	Solomon
Cox	Hanby	McKay	Speaks
Davis	Hardy	McNider	Steagall
Dawkins	Hare	Martin	Stembridge
deGraffenried	Harvey	Meeks	Taylor
Dement	Hawkins	Molette	Thomas
DeSear	Holliman	Murphy	Vacca
Dickson	Huddleston	Nettles	Ward
Edwards (Escambia)	Jenkins	Nice	Windle

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UNFINISHED BUSINESS

The House proceeded to the consideration of the Unfinished Business, which was the bill,

H. 301. To provide for the reclamation, restoration, operation and maintenance of Fort Morgan, in Baldwin County, Alabama, and certain other forts and buildings adjacent thereto; creating the Fort Morgan Historical Commission for the purpose of reclaiming, restoring, operating and maintaining Fort Morgan and certain other forts and buildings adjacent thereto; prescribing the powers, authority and jurisdiction of the commission, and providing for the appointment, compensation, powers, duties and authority of the members of the commission; providing for the appointment of a secretary or historian and other employees by the commission; giving the commission and the members thereof full police power to prefer charges against, and to make arrests of, any person violating any rule or regulation of the commission governing the operation and maintenance of Fort Morgan and the other forts and buildings under the authority and jurisdiction of the commission; giving the commission the authority to designate any employees of the commission as deputy police officers, with full police power to prefer charges against, or to make arrests of, any person violating any rule or regulation governing the operation and maintenance of Fort Morgan and the other forts and buildings under the authority and jurisdiction of the commission; prescribing a penalty for violation of the rules and regulations promulgated and adopted by the commission; and transferring the right to all papers, books, records, stationery, supplies and equipment used in the control, maintenance and operation of Fort Morgan by the Division of State Parks, Monuments, and Historical Sites to the Fort Morgan Historical Commission.

Mr. Thomas offered the following amendment to the bill, H. 301: Amendment of H.B. 301:

Strike out the third sentence in Section 2 of the bill and insert the following in lieu thereof:

The commission may remain in session for the purpose of transacting business for a period not to exceed three days at any one regular or special session, and shall not be in session for more than eighteen calendar days in any one calendar year.

Also, strike out the words, "out of the state treasury as other state employees are paid," appearing in Section 6 of the bill and substitute therefor the following:

Out of funds appropriated to the Department of Conservation for Fort Morgan, in equal installments, as the salaries of other state employees are paid.

Also, strike out Section 7 and substitute the following:

Section 7. The commission may appoint guards or watchmen and other such employees, not exceeding five in number, as the commission may consider necessary to carry out and enforce the provisions of this Act. Such employees shall be subject to the Merit System Act.

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Oakley
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Oden
Ashworth	Faulk	Kelly	Payne
Boyd	Ferrell	Kendall	Perry
Bradford	Franklin	Kirkham	Pirkle
Brannan	Goodwyn	Lackey	Ramey
Branyon	Gregory	Law	Richardson
Brassell	Hain	Lee (Barbour)	Roberts
Brewer	Hall	Lee (Lawrence)	Selman
Broadfoot	Haltom	Locke (Perry)	Simon
Brown (Lamar)	Hanby	McClendon	Solomon
Burkhalter	Hardy	McKay	Speaks
Callahan	Hare	McNider	Steagall
Cornett	Harvey	Martin	Stembridge
Cox	Hawkins	Mathews	Taylor
Davis	Hodges	Molette	Thomas
Dawkins	Holliman	Murphy	Vacca
deGraffenried	Huddleston	Nettles	Ward
Dement	Hunt	Nolen	Windle
DeSear	Jenkins		

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And said bill, H. 301, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cornett	Goodwyn	Hunt
Adams	Cox	Gregory	Jenkins
Ashworth	Davis	Hain	Johnson (Elmore)
Boyd	Dawkins	Hall	Johnson (Tallapoosa)
Bradford	deGraffenried	Haltom	Kendall
Brannan	Dement	Hanby	Killough
Branyon	Dickson	Hardy	Kirkham
Brassell	Edwards (Escambia)	Hare	Lackey
Brewer	Edwards (Jefferson)	Harvey	Law
Broadfoot	Faulk	Hawkins	Lee (Barbour)
Brown (Lamar)	Ferrell	Hodges	Lee (Lawrence)
Burkhalter	Franklin	Holliman	Locke (Choctaw)
Callahan	Gist	Huddleston	Love

McClendon	Nolen	Richardson	Stembridge
McKay	Oakley	Roberts	Stokes
McNider	Oden	Selman	Taylor
Martin	Payne	Shumate	Thomas
Molette	Perry	Simon	Tyson
Money	Pirkle	Solomon	Vacca
Murphy	Pruitt	Speaks	Ward
Nettles	Ramey	Steagall	Windle
Nice			

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RESOLUTION

The following resolution was introduced:

By Messrs. Kendall, Stokes, Hawkins and Dawkins:

H.J.R. 28. WHEREAS, the Legislature of Alabama extends a special invitation to Honorable Val Peterson, Federal Civil Defense Administrator, and former Governor of the State of Nebraska, to address a joint session of the two Houses; now therefore,

BE IT RESOLVED by the House of Representatives, the Senate concurring, that Governor Peterson be invited to visit the Legislature at his earliest convenience and address this body.

On motion of Mr. Kendall the rules were suspended and H.J.R. 28 was adopted.

CONSIDERATION OF H. 61 RESUMED

H. 61. Relating to civil remedies and procedure: To provide for pleading in short in civil cases at law.

As amended, was again taken up.

And said bill, H. 61, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 52; Nays 29.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Lackey	Pirkle
Ashworth	Ferrell	Law	Ramey
Bradford	Franklin	Locke (Choctaw)	Selman
Branyon	Gregory	Love	Shumate
Brassell	Hare	McClendon	Simon
Brown (Lamar)	Hawkins	McLendon	Solomon
Burkhalter	Hodges	Martin	Speaks
Callahan	Hunt	Meeks	Steagall
Cox	Jenkins	Money	Stembridge
Crook	Johnson (Elmore)	Murphy	Taylor
Davis	Johnson (Tallapoosa)	Nice	Tyson
Dement	Kendall	Oakley	Vacca
Edwards (Escambia)	Killough	Oden	Windle

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Nays:

Messrs.	Cornett	Goodwyn	Hardy
Boyd	Dawkins	Hain	Huddleston
Brannan	deGraffenried	Hall	Kaul
Brewer	Dickson	Haltom	Lee (Barbour)
Broadfoot	Faulk	Hanby	Lee (Lawrence)

Locke (Perry)
McKay
Nolen

Payne
Perry
Reynolds

Richardson
Roberts

Stokes
Thomas

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MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 93. To make an additional appropriation to the Department of Finance, Division of Service, for the payment of salaries, repairs and alterations, additions and betterments, and equipment purchases for State buildings for the fiscal year ending September 30, 1955.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING RESUMED

H. 230. To provide further for the development of harbors and seaports; abolishing the Alabama State Docks Board created by an Act which became effective August 1, 1951 (Acts of the Legislature of Alabama, 1950-51, Vol. I, page 450), and establishing the Alabama State Docks Department in lieu thereof; providing for the selection of the Department's officers, and prescribing the Department's functions, jurisdiction, powers, and duties; repealing conflicting laws.

Was taken up.

Mr. Simon offered the following substitute for the bill, H. 230:
Substitute for H.B. 230:

A BILL TO BE ENTITLED AN ACT

To provide further for the development of harbors and seaports; abolishing the Alabama State Docks Board created by an Act which became effective August 1, 1951 (Acts of the Legislature of Alabama, 1950-51, Vol. I, page 450), and establishing the Alabama State Docks Department in lieu thereof; providing for the selection of the Department's officers, and prescribing the Department's functions, jurisdiction, powers, and duties; repealing conflicting laws.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Alabama State Docks Board created by an Act which became effective August 1, 1951 (Acts of the Legislature of Alabama, 1950-51, Vol. I, page 450) is hereby abolished. Hereafter there shall be a state agency known as the Alabama State Docks Department, hereinafter sometimes referred to as the Department, to promote, supervise, control, manage and direct the state docks and all other state lands included within the jurisdiction of this chapter. The De-

partment shall consist of a Director of State Docks and a State Docks Advisory Committee, as hereinafter provided. The Alabama State Docks Department shall be the agency of the State through which the State shall accomplish the maintenance and operation of all the improvements and facilities authorized by Chapter 1 of Title 38, Code of Alabama (1940), as amended.

Section 2. The chief executive officer of the Department shall be known as the Director of State Docks, and shall be appointed by the Governor with the advice and consent of the Senate, and shall hold office at the Governor's pleasure. All the powers, authority and duties vested in the Alabama State Docks Department shall be exercised by the director, who shall be a man of good character with business experience. He shall have no financial interest in any harbor facilities or property that the Department has acquired or may acquire or manage; nor shall he have any financial or personal interest in any business or enterprise of any sort with which the Department deals in the management of the affairs of the facilities under the control and jurisdiction of the Department. The salary of the director shall be fixed by the Governor at an amount not to exceed twelve thousand dollars (\$12,000) per annum, to be paid as the salaries of the employees of the Department are paid.

Section 3. There shall be created the position of general manager, to be appointed by the director and to serve at his pleasure. The general manager's salary shall be ten thousand dollars (\$10,000) per year, and his qualifications shall include at least ten years' experience in port work in the particular fields of administration, operation and traffic. He shall be a man of good character and a legal resident of the State of Alabama. He shall have no financial interest in any harbor facilities or property that the Department has acquired or may acquire or manage; nor shall he have any financial or personal interest in any business or enterprise of any kind with which the Department deals in the management of the affairs of the facilities under the control and jurisdiction of the Department.

Section 4. There shall be a State Docks Advisory Committee, consisting of the Governor, who shall be ex officio chairman of the Committee, the Director of State Docks, who shall be ex officio a member of the Committee, one member from Mobile County, and one member from each of the congressional districts of the State. The members shall be residents and qualified electors of the State of Alabama, and shall be appointed by the Governor with the advice and consent of the Senate, for terms of four years from the effective date of their appointments, and until their successors are appointed. If a vacancy occurs on the Committee for any reason, such vacancy shall be filled by appointment by the Governor for the unexpired term. The appointive members of the Committee shall be men of good character and be possessed of ability and experience which would qualify them to advise in the operations of the facilities and activities coming under the jurisdiction of the Department.

Each appointed member of the Committee shall be entitled to receive twenty-five dollars (\$25) for each day actually engaged in the performance of his duties, not to exceed in the aggregate twelve hundred dollars (\$1200) for any one year, plus the actual cost of his transportation. In the event a member uses a privately-owned automobile for official travel, he shall be entitled to receive seven cents per mile for each mile actually traveled in attending meetings or otherwise performing his official duties.

Section 5. The Governor shall designate one of the appointed

members as vice-chairman of the Committee, and such vice-chairman shall preside at meetings of the Committee in the absence of the Governor. The Director of State Docks shall serve as secretary of the Committee and shall keep in permanent form a record of all the proceedings had at the meetings of the Committee. The members shall convene upon call of the Governor, and a majority of the membership shall constitute a quorum for the transaction of business.

Section 6. The Committee shall act only in an advisory capacity with reference to any matters coming before or concerning the Alabama State Docks Department. All employees and officers of the Alabama State Docks Department, except the director, the general manager and those exempt under Section 301 of Title 55 of the Code of Alabama, (1940), as amended, shall be subject to the provisions of law with respect to the method of selection, classification, and compensation of state employees on the basis of merit. The director shall appoint a secretary-treasurer, and as occasion requires may appoint such employees, attorneys and experts as may be necessary to perform all services needed in the management, operation, and control of the dock and terminal facilities provided for in said Chapter 1 of Title 38, Code of Alabama (1940), as amended. The director may appoint such architects and engineers and other persons as may be required for the study and development of the Department's facilities.

Section 7. The secretary-treasurer shall receive and disburse for the Department, under the supervision of the director, all monies which the Department is authorized to receive and disburse. He shall be responsible for the safe keeping thereof and shall properly account therefor. The director shall make a monthly report to the Governor of his acts and doings.

Section 8. The Department shall have and exercise all the rights, powers, duties and authority conferred upon it under this Act, and also the rights, powers, duties and authority not inconsistent with the provisions of this Act which have been conferred by law upon the Alabama State Docks Board. Wherever the words "Department of State Docks and Terminals" and the words "Alabama State Docks Board" are used in any statute in force at the time of the effective date of this Act, they shall be construed and taken to mean the Alabama State Docks Department. The Department shall succeed to all the rights, powers, duties and obligations of the Alabama State Docks Board, and the legal rights of said Board are hereby transferred to the Department.

Section 9. Act No. 189, S. 90, approved July 2, 1951, creating the State Docks Board, and all other laws or parts of laws which conflict with this Act are repealed.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. This Act shall become effective ten days after its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Boyd	Branyon	Broadfoot
Adams	Bradford	Brassell	Brown (Lamar)
Ashworth	Brannan	Brewer	Burkhalter

Callahan	Hanby	Locke (Perry)	Pirkle
Cornett	Hardy	Love	Ramey
Davis	Hare	McKay	Reynolds
Dawkins	Harvey	McNider	Richardson
deGraffenried	Hawkins	Martin	Roberts
Dement	Hodges	Mathews	Selman
DeSear	Holliman	Mathison	Shumate
Dickson	Huddleston	Meeks	Simon
Edwards (Escambia)	Hunt	Molette	Solomon
Edwards (Jefferson)	Jenkins	Murphy	Speaks
Ferrell	Johnson (Elmore)	Nettles	Steagall
Franklin	Johnson (Tallapoosa)	Nice	Stembridge
Gist	Kendall	Nolen	Stokes
Goodwyn	Killough	Oakley	Taylor
Gregory	Lackey	Oden	Tyson
Hain	Law	Payne	Vacca
Hall	Lee (Lawrence)	Perry	Ward
Haltom	Locke (Choctaw)		

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The motion of Mr. Simon to lay on the table the motion of Mr. Brannan to postpone further consideration of the bill, H. 230, as amended, until the nineteenth legislative day, was adopted.

Yeas 50; Nays 43.

Yeas:

Mr. Speaker	deGraffenried	Johnson (Tallapoosa)	Payne
Ashworth	Dickson	Kelly	Reynolds
Branyon	Edwards (Escambia)	Law	Selman
Brassell	Ferrell	Lee (Lawrence)	Shumate
Brewer	Franklin	Locke (Choctaw)	Simon
Broadfoot	Goodwyn	Love	Speaks
Brooks	Gregory	Martin	Steagall
Brown (Lamar)	Grouby	Mathews	Stembridge
Burkhalter	Haltom	Mathison	Taylor
Callahan	Hare	Money	Tyson
Cox	Hawkins	Murphy	Vacca
Davis	Holliman	Oden	Ward
Dawkins	Huddleston		

—50

Nays:

Messrs.	Hain	Killough	Nettles
Adams	Hall	Kirkham	Nice
Boyd	Hanby	Lackey	Nolen
Bradford	Hardy	Lee (Barbour)	Oakley
Brannan	Harvey	Locke (Perry)	Perry
Brown (Lee)	Hodges	McClendon	Pruitt
Cornett	Hunt	McKay	Ramey
Crook	Jenkins	McLendon	Richardson
DeSear	Johnson (Elmore)	McNider	Solomon
Edwards (Jefferson)	Kaul	Meeks	Stokes
Faulk	Kendall	Molette	Thomas

—43

And said bill, H. 230, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 37.

Yeas:

Mr. Speaker	Davis	Johnson (Elmore)	Payne
Adams	Dawkins	Johnson (Tallapoosa)	Ramey
Ashworth	Dickson	Kelly	Reynolds
Brannan	Edwards (Escambia)	Kendall	Selman
Branyon	Ferrell	Law	Shumate
Brassell	Franklin	Lee (Lawrence)	Simon
Brewer	Goodwyn	Locke (Choctaw)	Speaks
Broadfoot	Gregory	Love	Steagall
Brooks	Grouby	Martin	Stembridge
Brown (Lamar)	Haltom	Mathews	Stokes
Burkhalter	Hare	Mathison	Taylor
Callahan	Hawkins	Money	Tyson
Cornett	Holliman	Murphy	Vacca
Cox	Huddleston	Oden	Ward

—56

Nays:

Messrs.	Hall	Lackey	Nettles
Boyd	Hanby	Lee (Barbour)	Nice
Bradford	Hardy	Locke (Perry)	Nolen
Brown (Lee)	Harvey	McClendon	Oakley
Crook	Hodges	McKay	Perry
deGraffenried	Hunt	McLendon	Pruitt
DeSear	Jenkins	McNider	Richardson
Edwards (Jefferson)	Kaul	Meeks	Solomon
Faulk	Killough	Molette	Thomas
Hain	Kirkham		

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PAIR ANNOUNCED

Mr. Ramey announced that he was paired with Mr. Harrison. If Mr. Harrison were present he would vote "nay" and Mr. Ramey would vote "yea".

On motion of Mr. Dawkins, his motion to reconsider the vote by which the bill, H. 230, as amended, was passed, was laid upon the table.

Yeas 48; Nays 42.

Yeas:

Mr. Speaker	deGraffenried	Huddleston	Payne
Ashworth	Dickson	Johnson (Tallapoosa)	Ramey
Branyon	Edwards (Escambia)	Kelly	Reynolds
Brassell	Ferrell	Law	Selman
Brewer	Franklin	Lee (Lawrence)	Shumate
Broadfoot	Goodwyn	Locke (Choctaw)	Simon
Brooks	Gregory	Martin	Speaks
Brown (Lamar)	Grouby	Mathews	Steagall
Burkhalter	Haltom	Mathison	Stembridge
Callahan	Hare	Money	Taylor
Davis	Hawkins	Murphy	Tyson
Dawkins	Holliman	Oden	Vacca

—48

Nays:

Messrs.	Albea	Bradford	Brown (Lee)
Adams	Boyd	Brannan	Cornett

Crook	Hodges	Locke (Perry)	Nice
DeSear	Hunt	Love	Nolen
Edwards (Jefferson)	Jenkins	McClendon	Oakley
Faulk	Johnson (Elmore)	McKay	Perry
Hain	Kaul	McLendon	Pruitt
Hall	Killough	McNider	Richardson
Hanby	Kirkham	Meeks	Solomon
Hardy	Lackey	Molette	Thomas
Harvey	Lee (Barbour)	Nettles	

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COMMITTEE APPOINTMENT

Pursuant to H.J.R. 8 of the Second Special Session of the Legislature, the Speaker appoints Honorable Jack Huddleston, member of the House from Colbert County, to take the place of Honorable Howard Bagley, deceased.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 28. Extending an invitation to Honorable Val Peterson, Federal Civil Defense Administrator, to address a Joint Session of the two Houses.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Robison:

S.J.R. 20. Be it resolved by the Senate, The House concurring, that S.B. No. 101 and S.B. No. 102 which have passed both Houses of the Legislature be known as the Robison, Nolen, Dawkins, Hall and Goodwyn Bills.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Dawkins the rules were suspended and the House concurred in and adopted the S.J.R. 20 set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Stokes and Nice:

H.J.R. 29. Resolved by the House, the Senate concurring, That the Clerk of the House is hereby authorized and directed to set aside, renovate, decorate, furnish, and equip Room 216 in the Capitol as a place of meditation and prayer for members and officers of the Legislature, and for such purpose he may spend a sum not exceeding six thousand dollars, out of any funds appropriated for the use of the Legislature.

The motion of Mr. Stokes to suspend the rules in order to bring up for immediate consideration the above and foregoing H.J.R. 29 was lost.

Yeas 36; Nays 40.

Yeas:

Mr. Speaker	Gist	McLendon	Selman
Albea	Goodwyn	McNider	Shumate
Branyon	Harvey	Martin	Solomon
Broadfoot	Hodges	Molette	Speaks
Burkhalter	Johnson (Elmore)	Nice	Steagall
Cornett	Kendall	Nolen	Stembridge
Edwards (Escambla)	Lee (Barbour)	Oakley	Stokes
Ferrell	Locke (Choctaw)	Payne	Summerlin
Franklin	McKay	Pruitt	Vacca

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Nays:

Messrs.	deGraffenried	Johnson (Tallapoosa)	Murphy
Adams	Dement	Kaul	Nettles
Bassett	DeSear	Kirkham	Oden
Boyd	Edwards (Jefferson)	Lackey	Perry
Bradford	Gregory	Law	Pirkle
Brewer	Hall	Lee (Lawrence)	Roberts
Brooks	Haltom	Locke (Perry)	Simon
Brown (Lamar)	Hanby	Love	Tyson
Callahan	Huddleston	Meeks	Ward
Davis	Jenkins	Money	Windle
Dawkins			

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And said resolution H.J.R. 29 was referred to the Standing Committee on Rules.

Also:

By Mr. Hawkins:

H.J.R. 30. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, June 14, 1955.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 30 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Lamberth:

S.J.R. 21. BE IT RESOLVED by the Senate, the House concurring, that when the two Houses adjourn today they adjourn to meet again on Tuesday, June 14, 1955.

J. E. SPEIGHT,
Secretary

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the

House concurred in and adopted the S.J.R. 21 set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING RESUMED

H. 37. To make it a misdemeanor for any person to drive a motor vehicle upon a school ground or school yard at a place other than that which is customarily used as a driveway or a parking place for motor vehicles without the consent or acquiescence of the board of education or other governing body having control of the use of the school property, and to provide a penalty therefor.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	deGraffenried	Johnson (Elmore)	Nice
Adams	Dement	Kaul	Nolen
Albea	Dickson	Kelly	Oakley
Ashworth	Edwards (Escambia)	Kendall	Oden
Bassett	Edwards (Jefferson)	Kirkham	Payne
Boyd	Faulk	Lackey	Perry
Bradford	Ferrell	Law	Pirkle
Brannan	Franklin	Lee (Barbour)	Ramey
Branyon	Gist	Lee (Lawrence)	Reynolds
Brassell	Gregory	Locke (Choctaw)	Richardson
Brewer	Hain	Locke (Perry)	Roberts
Broadfoot	Hall	Love	Selman
Brooks	Haltom	McClendon	Shumate
Brown (Lamar)	Hanby	McKay	Speaks
Brown (Lee)	Hardy	McLendon	Steagall
Burkhalter	Hare	McNider	Stembridge
Callahan	Hawkins	Martin	Summerlin
Cornett	Hodges	Mathews	Taylor
Crook	Holliman	Mathison	Vacca
Davis	Hunt	Money	Ward
Dawkins	Jenkins	Nettles	Windle

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And the bill:

S. 77. To authorize the Governor to enter into a contract with the Michie Publishing Company to replace any volume or volumes of the Code of Alabama 1940.

Was read a third time at length and passed.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Brooks	Dement	Gregory
Adams	Brown (Lamar)	DeSear	Grouby
Albea	Brown (Lee)	Dickson	Hain
Ashworth	Burkhalter	Edwards (Escambia)	Hall
Bassett	Callahan	Edwards (Jefferson)	Haltom
Boyd	Cornett	Faulk	Hanby
Bradford	Cox	Ferrell	Hardy
Branyon	Davis	Franklin	Hare
Brassell	Dawkins	Gist	Harvey
Brewer	deGraffenried	Goodwyn	Hawkins
Broadfoot			

Holliman	Lee (Lawrence)	Nettles	Selman
Huddleston	Locke (Choctaw)	Nice	Shumate
Hunt	Locke (Perry)	Nolen	Simon
Jenkins	Love	Oakley	Speaks
Johnson (Elmore)	McClendon	Oden	Steagall
Johnson (Tallapoosa)	McKay	Payne	Stembridge
Kaul	McLendon	Perry	Stokes
Kelly	McNider	Pirkle	Summerlin
Kendall	Martin	Pruitt	Taylor
Killough	Mathews	Ramey	Tyson
Kirkham	Mathison	Reynolds	Vacca
Lackey	Meeks	Richardson	Ward
Law	Money	Roberts	Windle
Lee (Barbour)	Murphy		

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H. 223 INDEFINITELY POSTPONED

On motion of Mr. Brown (Lee), the bill, H. 223, was indefinitely postponed.

And the bill:

H. 120. To authorize and provide for the payment of the sum of \$613.80, out of any funds in the State Treasury to the credit of the State Forestry Fund, for the relief of Colbert R. Wright, to reimburse him for hospital, doctor and medical bills by reason of an accident occurring on August 30, 1949, while the said Colbert R. Wright was employed by the State of Alabama, Department of Conservation, and while he was acting in the line and scope of his employment.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Tallapoosa)	Oden
Adams	Edwards (Escambia)	Kelly	Payne
Albea	Edwards (Jefferson)	Kendall	Perry
Ashworth	Faulk	Killough	Pirkle
Bassett	Ferrell	Kirkham	Pruitt
Boyd	Franklin	Lackey	Ramey
Bradford	Gist	Lee (Barbour)	Reynolds
Brannan	Goodwyn	Lee (Lawrence)	Roberts
Brassell	Gregory	Locke (Choctaw)	Selman
Brewer	Grouby	Locke (Perry)	Shumate
Broadfoot	Hain	Love	Simon
Brooks	Hall	McClendon	Solomon
Brown (Lamar)	Haltom	McKay	Speaks
Burkhalter	Hanby	McLendon	Steagall
Callahan	Hardy	McNider	Stembridge
Cornett	Hare	Mathison	Stokes
Cox	Harvey	Meeks	Summerlin
Crook	Hawkins	Molette	Taylor
Davis	Holliman	Money	Thomas
Dawkins	Huddleston	Murphy	Tyson
deGraffenried	Hunt	Nettles	Vacca
Dement	Jenkins	Nice	Ward
DeSear	Johnson (Elmore)	Nolen	Windle

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And the bill:

H. 177. To make an additional appropriation to the Agricultural Center Board for the fiscal year ending September 30, 1955, from funds in the State Treasury not otherwise appropriated.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 4.

Yeas:

Mr. Speaker	Dickson	Johnson (Tallapoosa)	Payne
Adams	Edwards (Escambia)	Kelly	Pirkle
Ashworth	Edwards (Jefferson)	Kendall	Pruitt
Bassett	Faulk	Killough	Ramey
Boyd	Ferrell	Lackey	Reynolds
Bradford	Franklin	Law	Richardson
Brannan	Gist	Lee (Lawrence)	Selman
Brassell	Gregory	Locke (Choctaw)	Shumate
Brewer	Hain	Love	Simon
Broadfoot	Hall	McClendon	Speaks
Brooks	Haltom	McLendon	Steagall
Brown (Lamar)	Hanby	McNider	Stembridge
Burkhalter	Hardy	Martin	Stokes
Cornett	Hare	Mathison	Summerlin
Cox	Harvey	Molette	Taylor
Crook	Hawkins	Money	Tyson
Davis	Holliman	Murphy	Vacca
Dawkins	Huddleston	Nettles	Ward
deGraffenried	Hunt	Nolen	Windle
Dement	Johnson (Elmore)	Oden	

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Nays: Messrs. Goodwyn, Kirkham, McKay and Oakley.

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NOTICE IN WRITING

Mr. Richardson offered the following Notice in Writing:

Notice is hereby given that on the next legislative day, I shall ask that House Rule No. 24 be amended to read as follows:

"Rule 24. When taking the yeas and nays the electrical roll call system may be used, and when so used, it shall have the same force and effect as a roll call taken viva voce.

After every member so desiring has been recognized and the House is ready to vote upon any question requiring a roll call and the vote is to be taken by the electrical roll call system, the Speaker shall announce: 'The question is on (designating the matter to be voted upon). All in favor of such question shall vote 'yea', all opposed, 'nay'. The House will now proceed to vote.

The Clerk immediately shall start the vote-recording equipment and when every member has voted, he shall lock the machine, record the vote, and advise the Speaker of the result; the Speaker shall announce the vote to the House.

Any member shall be privileged to vote or change his vote after the vote-recording equipment has started to operate, by rising in his seat and announcing his vote before the result of the vote has been announced by the Speaker.

No member shall vote for another member; nor shall any person not a member cast a vote for a member. In addition to such penalties as may be prescribed by law, any member who votes or attempts to vote for another member may be punished in such manner as the House may determine. If a person not a member votes or attempts to vote for any member, he shall be barred from the floor of the House for the remainder of the session, and he may be punished further in such manner as the House may deem proper."

NOTICE IN WRITING BY MR. RICHARDSON

Received, read and ordered filed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Cooper, Davis (Lowndes), Moses, Grisham, Flowers, Lamberth, Leonard, Eddins, Robison, Engelhardt, Goodwin, James, Jones, Davis (Pickens), Allen, Cantrell, Little, Bradford, Metcalf, Calvin, Vann, Reeves and Roberts:

S. 98. To amend Sections 96, 97 and 100 of Title 45, Code of Alabama 1940.

Also:

By Messrs. Jones and Givhan:

S. 106. To repeal Section 44 of Title 41, Code of Alabama (1940), which makes the official bond of certain county officers a lien on the property of such officers.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 98. Judiciary.

S. 106. Local Government.

BILLS ON THIRD READING RESUMED

S. 63. Relating to banks; amending further Section 82 of Title 5, Code of Alabama (1940).

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Brannan	Burkhalter	Dement
Adams	Branyon	Callahan	DeSear
Albea	Brassell	Cornett	Dickson
Ashworth	Brewer	Cox	Edwards (Escambia)
Bassett	Broadfoot	Crook	Edwards (Jefferson)
Boyd	Brooks	Dawkins	Faulk
Bradford	Brown (Lamar)	deGraffenried	Ferrell

Franklin	Johnson (Tallapoosa)	McNider	Richardson
Gist	Kaul	Mathison	Selman
Goodwyn	Kelly	Meeks	Shumate
Gregory	Kendall	Molette	Simon
Hall	Killough	Money	Solomon
Haltom	Kirkham	Nettles	Speaks
Hanby	Lackey	Nice	Steagall
Hardy	Law	Nolen	Stembridge
Hare	Lee (Barbour)	Oakley	Stokes
Harvey	Lee (Lawrence)	Oden	Summerlin
Hawkins	Locke (Choctaw)	Payne	Thomas
Hodges	Locke (Perry)	Perry	Tyson
Huddleston	Love	Pirkle	Vacca
Hunt	McClendon	Pruitt	Ward
Jenkins	McKay	Ramey	Windle
Johnson (Elmore)	McLendon	Reynolds	

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to wit:

H.J.R. 28. Relative to extending an invitation to the Hon. Val Peterson, Federal Civil Defense Administrator and former Governor of the State of Nebraska, to address the two Houses of the Legislature.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S.J.R. 20. Relative to naming Senate Bill 101 and Senate Bill 102.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

CERTIFICATE OF CLERK

The House of Representatives:

I hereby certify that the House Joint Resolution hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:45 A. M. On June 10, 1955.

H.J.R. 28.

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Faulk the House adjourned until Tuesday, June 14, 1955, at eleven o'clock A.M.

Yeas 65; Nays 18.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kendall	Oakley
Albea	Faulk	Kirkham	Oden
Ashworth	Ferrell	Lee (Barbour)	Payne
Brassell	Gist	Lee (Lawrence)	Perry
Brewer	Gregory	Locke (Choctaw)	Pirkle
Broadfoot	Grouby	Locke (Perry)	Pruitt
Brooks	Hain	Love	Ramey
Brown (Lamar)	Haltom	McKay	Reynolds
Burkhalter	Hanby	McLendon	Selman
Callahan	Hardy	Martin	Solomon
Cornett	Harvey	Mathews	Steagall
Cox	Hawkins	Mathison	Stembridge
Crook	Hodges	Meeks	Stokes
deGraffenried	Jenkins	Molette	Thomas
Dement	Kaul	Nettles	Tyson
DeSear	Kelly	Nolen	Vacca
Edwards (Escambia)			

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Nays:

Messrs.	Branyon	Killough	Shumate
Bassett	Dickson	Law	Speaks
Boyd	Hare	McNider	Summerlin
Bradford	Johnson (Elmore)	Murphy	Ward
Brannan	Johnson (Tallahpoosa)	Nice	

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TWELFTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, June 14, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend C. E. Barnes, Pastor, Forest Avenue Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards (Escambia)	Kaul	Oakley
Adams	Edwards (Jefferson)	Kelly	Oden
Albea	Faulk	Kendall	Payne
Ashworth	Ferrell	Killough	Pirkle
Bassett	Franklin	Kirkham	Pruitt
Boyd	Gilchrist	Lackey	Ramey
Bradford	Gist	Law	Reynolds
Brannan	Goodwyn	Lee (Barbour)	Richardson
Branyon	Gregory	Lee (Lawrence)	Roberts
Brassell	Grouby	Locke (Choctaw)	Selman
Brewer	Hain	Locke (Perry)	Shumate
Broadfoot	Hall	Love	Simon
Brooks	Haltom	McClendon	Solomon
Brown (Lamar)	Hanby	McKay	Speaks
Brown (Lee)	Hardy	McLendon	Steagall
Burkhalter	Hare	McNider	Stembridge
Callahan	Harrison	Martin	Stokes
Cornett	Harvey	Mathews	Summerlin
Cox	Hawkins	Mathison	Taylor
Crook	Hodges	Meeks	Thomas
Davis	Holliman	Molette	Tyson
Dawkins	Huddleston	Money	Vacca
deGraffenried	Hunt	Nettles	Ward
Dement	Jenkins	Nice	Windle
DeSear	Johnson (Elmore)	Nolen	Wood
Dickson	Johnson (Tallapoosa)		

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eleventh legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the eleventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the eleventh legislative day was approved.

REPORT OF RULES COMMITTEE

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report.

By Rules Committee:

H. R. 31. BE IT RESOLVED BY THE HOUSE that H.B. No. 35 be made special, paramount and continuing order of business for today, taking precedence over all other matters.

And H.R. 31 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 167. To amend Section 369 of Title 15 of the 1940 Code, which relates to appeals in habeas corpus cases.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Vann:

S. 95. Relating to elections: to provide that the State shall reimburse a county either in whole or in part for the expenses incurred in holding and conducting certain elections, and appropriating funds for that purpose.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 95. Local Government.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 63. Relating to banks; amending further Section 82 of Title 5, Code of Alabama (1940).

Also:

S. 77. To authorize the Governor to enter into a contract with the Michie Publishing Company to replace any volume or volumes of the Code of Alabama 1940.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

BILLS ON SECOND READING

Mr. Brown (Lee) Chairman of the Standing Committee on Transportation reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 255. To provide further for acquiring rights of way for state roads.

Mr. Meeks Chairman of the Standing Committee on Local Legislation No. 2 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 395. To provide for meetings and times of meetings of the governing body of any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census.

Mr. Bassett Vice-Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 397. Relating to Franklin County: to levy and impose additional privilege license and excise taxes for school purposes paralleling the state sales and use taxes as prescribed in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended; to provide for the collection of such taxes by the State Department of Revenue; to provide for the distribution of the proceeds thereof; and to provide for the enforcement of this Act.

H. 398. To provide an expense allowance to members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 24,500 nor more than 25,725 according to the last or any subsequent federal decennial census.

H. 410. For the relief of A. B. Richardson of Elmore County: Authorizing and empowering the court of county commissioners, board of revenue, or like governing body of Elmore County to appropriate from the Gasoline Tax Fund in the county treasury the sum of five hundred dollars (\$500.00) to compensate A. B. Richardson for injuries suffered by him while acting within the line and scope of his employment with the road and bridge department of Elmore County on March 4, 1955.

H. 411. Relating to Elmore County; providing for the reidentification of each qualified elector of Elmore County; requiring the board of registrars to purge the lists of qualified electors; and providing a penalty for willfully making a false statement in connection with reidentification.

H. 412. Relating to Elmore County; authorizing and directing the court of county commissioners of Elmore County to provide for the installation and use of voting machines throughout the county in all general, special or primary elections.

H. 413. Relating to Elmore County; changing the method of compensating certain county officers; placing such officers on a salary; and providing for their assistants, and the office space and equipment necessary for the conduct of their offices.

H. 418. To create a Hospital Board in all counties of this state having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent Federal decennial census, provide for the appointment of the members of said Board, their terms of office and compensation, to require said counties and all municipalities located within said counties to make payments to said Hospital Board to aid in the operation of a hospital in said counties and to provide care for charity patients, to require said Hospital Board to operate a hospital in said counties and to prescribe the powers and duties of said Hospital Board, and to provide for meetings of said Board and a fiscal year for the operations of said Hospital Board.

H. 419. To fix the salary of the tax collector of Mobile County, and to regulate the payment thereof.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Ashworth:

H. 420. To make an appropriation for the installation of a gas chamber at Kilby Prison.

Ways and Means.

By Mr. Burkhalter (with notice and proof):

H. 421: To amend Sections 2 and 3 of Local Act No. 162 (1943) of the Legislature of Alabama, approved June 17, 1943, entitled 'An Act to fix the salary of the Judge of Probate of Cherokee County, Alabama, the Tax Collector of Cherokee County, the Tax Assessor of Cherokee County, the Clerk of the Court of Cherokee County, the Register in Chancery of Cherokee County, the Deputy Solicitor of Cherokee County, the Sheriff of Cherokee County; to provide for his deputies and to provide for clerical assistance and other expenses of said officers of Probate Judge and Sheriff; to require each of said officers to collect all the fees, compensation and allowance heretofore collected by said officers and which may hereafter be collected by said officers and cover same into the County Treasury on or before the fifth day of each month and to provide for the payment of the salary of clerical assistance and office expense by the Treasury of the County.' "

Local Legislation No. 1.

Notice and Proof H. 421:

LEGAL NOTICES

NOTICE OF PROPOSED LOCAL LEGISLATION:

NOTICE IS hereby given that the following local bill will be introduced in the Legislature of Alabama:

"A bill to be entitled an Act to amend Sections 2 and 3 of Local Act No. 162 (1943) of the Legislature of Alabama, approved June 17, 1943, entitled 'An Act to fix the salary of the Judge of Probate of Cherokee County, Alabama, the Tax Collector of Cherokee County, the Tax Assessor of Cherokee County, the Clerk of the Court of Cherokee County, the Register in Chancery of Cherokee County, the Deputy Solicitor of Cherokee County, the Sheriff of Cherokee County; to provide for his deputies and to provide for clerical assistance and other expenses of said officers of Probate Judge and Sheriff; to require each of said officers to collect all the fees, compensation and allowances heretofore collected by said officers and which may hereafter be collected by said officers and cover same into the County Treasury on or before the fifth day of each month and to provide for the payment of the salary of clerical assistance and other office expense by the Treasury of the County.' "

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1: That Section 2 of local Act 162 (1943) approved June 17, 1943, entitled 'An Act to fix the salary of the Judge of Probate of Cherokee County, Alabama, the Tax Collector of Cherokee County, the Tax Assessor of Cherokee County, the Clerk of the Court of Cherokee County, the Register in Chancery of Cherokee County, the Deputy Solicitor of Cherokee County, the Sheriff of Cherokee County; to provide for his deputies and to provide for clerical assistance and other expenses of said officers of Probate Judge and Sheriff; to require each of said officers to collect all the fees, compensation and allowances heretofore collected by said officers and which may hereafter be collected by said officers and cover same into the County Treasury on or before the fifth day of each month, and to provide for the payment of the salary of clerical assistance and other office expenses by the Treasury of the County' be and the same is hereby amended to read as follows: Section 2. That when this Act goes into effect each of said officers named in Section 1, of this Act shall continue to collect all legal charges, fees,

costs, compensations and allowances heretofore or hereafter authorized to be collected by them or any one of them and shall pay same into the County Treasury on the first Monday of each month thereafter. The Board of Revenue of like governing body of Cherokee County is required, authorized and empowered to provide sufficient Clerks, deputies and assistants to the said judge of Probate but the said Judge of Probate shall select the said Clerks, deputies and other assistants and shall fix their compensation but the combined salary or compensation of said clerk, deputies and assistants selected by him shall not exceed One Thousand Eight Hundred (\$1,800.00) Dollars per annum. The said Judge of Probate shall have the right to discharge the said clerks, deputies and assistants at will. The salary or compensation of said clerk, deputies and assistants shall be paid in equal monthly installments out of the general fund of Cherokee County upon separate warrants drawn in the same manner as other employees of Cherokee County are paid.' "

"Section 2: That Section 3 of said Local Act 162 (1943) approved June 17, 1943, as above referred to, be and the same is hereby amended to read as follows: 'Section 3: The Board of Revenue or like governing body of Cherokee County shall provide each of said officers named in Section 1, of this Act, with the necessary offices, books, stationery, office equipment, supplies, files, furniture, typewriters, adding machines, postage and other conveniences and equipment necessary for the proper and efficient conducting and handling of the affairs of said office. The Board of Revenue or other like governing Body shall provide additional clerical help as they deem necessary for the proper and efficient operation of the offices named in Section One of this Act but the total compensation of all such clerks shall not exceed Twelve Hundred (\$1,200.00) Dollars per annum. The Board of body shall provide the Sheriff with gasoline and motor oil and automobile expense for transportation, in the enforcement of the laws of the State and the proper and efficient conduct of his office, in a sum not to exceed One Hundred Fifty (\$150.00) Dollars per month, to be paid by properly receipted bills and vouchers presented for payment each month.' "

"Section 3. That the provision of this Act shall become effective from and after the first day of the month next after its passage and approval by the Governor, or its otherwise becoming a law."

J. B. BURKHALTER, Representative,
Cherokee County, Alabama. 11-4c

STATE OF ALABAMA COUNTY OF CHEROKEE

Before me, E. G. James a Notary Public in and for said county in said state, personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the Town of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and complete copy of legal notice as published in said newspaper once a week for four consecutive weeks, beginning on the 18th day of May, 1955 that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said town and county; and that said newspaper has been entered as second class mail matter in the United State Post Office in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

JOE SHAW, JR.

Sworn to and subscribed before me this 13th day of June, 1955.

E. G. JAMES,
Notary Public.

By Mr. Love:

H. 422. Relating to vocational trade schools; authorizing, directing and requiring the state board of education to provide for the construction, maintenance and operation of two additional trade schools to be located in Cullman and Covington Counties; making an appropriation for the construction, maintenance and operation of such schools.

Ways and Means.

By Mr. Kendall:

H. 423. Proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Conecuh County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Hawkins:

H. 424. To amend Section 1 of Act 515, approved, July 9, 1945 as amended, which relates to the Employees' Retirement System of Alabama.

Ways and Means.

By Messrs. Vacca, Davis, Dement and Broadfoot:

H. 425. To authorize, define and regulate the practice of chiropractic in the State of Alabama; to create, establish and provide for the appointment, removal, duties, compensation and terms of office of a Board of Chiropractic Examiners; to provide and define the powers and duties of said Board and to provide penalties for the violation of the provisions of this Act; to provide ways and means of collecting funds for the maintenance and functioning of said Board of Chiropractic Examiners; to provide for the examination and licensing of chiropractors desiring to engage in the practice of chiropractic, and to fix the fees to be assessed on such applicants for examination and registration and for the renewal of such registration and license; to authorize and empower such Board of Chiropractic Examiners of the State of Alabama to conduct investigations and hearings of and concerning violations of this Act; and to grant unto said board the power and authority to revoke, after hearing, any such license issued by said board on account of any violation of any provision of this Act and to provide for an appeal to the various circuit courts of Alabama by any aggrieved person from any order, ruling, decree or revocation of such license by said Board of Chiropractic Examiners; and to repeal all laws or parts of laws in conflict with this Act.

Judiciary.

By Messrs. Meeks, Vacca, Nice, Lackey, Kaul, and Edwards (Jefferson):

H. 426. An Act to authorize in any county in the State of Alabama having a population of more than 500,000 according to the last or any subsequent Federal census, the creation of a public corporation which may be vested with all or any of the following powers: (1) to establish, maintain and operate one or more hospital, clinics, centers and other facilities for the prevention, treatment or diagnosis of tuberculosis; (2) to furnish medicines, supplies, nurses, technicians, physicians and other personnel and all other items appropriate for the maintenance and operation of any such hospital, clinic, center or facility; (3) to lease, construct, own, or otherwise acquire lands, buildings, hospitals, clinics, centers, or other facilities and equipment appropriate for the prevention, treatment or diagnosis of tuberculosis; (4) to disseminate knowledge concerning the cause, prevention and treatment of tuberculosis; (5) to

do all things and acts having as their object the relief of those afflicted with tuberculosis, and the control and prevention of that disease throughout the county; to provide for the method of forming said corporation; to provide that said corporation shall constitute a public corporation; to provide for the determination of which of the foregoing powers said corporation shall have to provide for the change of the corporate name and amendments of the corporate certificate or charter; to provide for the management of said corporation by a board of directors, the means of the appointment of the directors, their duties and authority and their terms of office; to empower any such corporation to borrow money and issue bonds, notes or other evidence of indebtedness and execute mortgages, deeds of trust or other conveyances and instruments as security for money so borrowed; to provide for such corporation to accept property by gift, bequest or devise, and to accept by gift, grant, loan or otherwise, any funds from The United States Government, or any agency thereof, for the furtherance of any one or more of its corporate purposes, upon such terms and conditions as may be prescribed by The United States Government, or any agency thereof; to otherwise define the powers and duties of the corporation; and to accord any such corporation exemption from State, county or city taxes.

Local Legislation No. 2.

By Mr. Haltom:

H. 427. To amend Sections 661 and 669 of Title 7, Code of Alabama, 1940, which relate to exemption of homesteads from administration and payment of debts.

Ways and Means.

By Messrs. Broadfoot and Haltom (with notice and proof):

H. 428. To extend, alter and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

Local Legislation No. 1.

Notice and Proof H. 428:

NOTICE

Pursuant to Article 4, Section 106, of the Constitution of Alabama of 1901, notice is hereby given that at the session of the Legislature of Alabama convened in May 1955, application will be made for the passage of a local act substantially as follows, to-wit:

AN ACT

"To extend, alter and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

"BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

"Section 1. That the boundary lines and corporate limits of the City of Florence be, and the same are hereby, extended, altered and rearranged so as to include within the corporate limits of said City all of the following additional adjacent territory in Lauderdale County, Alabama, situate, to-wit:

"The northwest quarter of Section 1, Township 3 South, Range 11 West, containing 160 acres, more or less; also 30.2 acres, more or less, described as beginning at the Northeast corner of the Northwest quarter of said Section 1; thence south 225.2 feet; thence east 733 feet; thence north 931.2 feet; thence west 1624.1 feet; thence south 706.5 feet to the north line of said Section 1; thence east along said line 891.2 feet to the point of beginning.

"Section 2. That this Act shall take effect immediately upon approval by the Governor, or its otherwise becoming a law."

May 17, 24, 31; June 7c

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared D. H. Bowling, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the The Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 17th, May 24th, May 31st, and June 7th, all in the year 1955.

D. H. BOWLING.

Sworn to and subscribed before me 7th day of June, 1955.

L. H. BAKER,
Notary Public.

My Commission Expires Aug. 2, 1955.

By Mr. Lee (Lawrence) (with notice and proof):

H. 429. To permit any bank in Lawrence County to establish one or more branches, or additional offices or places of business, for the receipt or deposits, payment of checks, lending of money, and doing a general banking business, subject to the approval of the State Superintendent of Banks.

Local Legislation No. 1.

Notice and Proof H. 429:

STATE OF ALABAMA COUNTY OF LAWRENCE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To permit any bank in Lawrence County to establish one or more branches, or additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business, subject to the approval of the State Superintendent of Banks.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any bank situated in Lawrence County, Alabama, may establish, maintain, and operate within the limits of Lawrence County one or more branches, or additional offices or places of business, for the receipts of deposits, payment of checks, lending of money, and the doing of a general banking business, provided that such bank before the establishment of any such branch, or additional office or place of business, shall first secure the written consent thereto of the Superintendent of Banks of the State of Alabama.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 19-4

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 12, May 19, May 26, and June 2, all in the year 1955.

JEANETTE LANG McKELVEY,

Sworn to and subscribed before me June 10, 1955.

ARTHUR F. SLATON,
Owner.

By Mr. Roberts:

H. 430. To amend Section 313 of Title 2, Code of Alabama (1940), which relates to the adulteration of soda water or other soft drinks or beverages.

Health.

By Messrs. Simon and Murphy:

H. 431. To establish the right of injunction against any person unlawfully engaged in the practice of a profession; to set out the professions to which this Act shall be applicable; to provide what persons may maintain the act or bill for injunction provided herein; to provide that this right of injunction shall be preventive and in addition to the remedies or punishments provided by law, and to provide for the effective date of this legislation.

Judiciary.

By Messrs. Goodwyn, Hall, Nolen and Dawkins:

H. 432. For the relief of Perry Cumbie of Montgomery, Alabama.

Ways and Means.

By Mr. Dawkins (by request):

H. 433. To amend Section 695 of Article 8 of Title 51 of the Code of Alabama of 1940.

Ways and Means.

By Mr. Nolen:

H. 434. To amend Sections 368 and 369 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Ways and Means.

By Mr. Nolen:

H. 435. To amend Section 8, and Section 12 of Act 515, H. 93,

approved July 9, 1945, (General Acts 1945, page 734) as amended, which relates to the Employees' Retirement System of Alabama.

Ways and Means.

By Mr. Brewer:

H. 436. To amend Sections 7 and 8 of Title 25, Code of Alabama (1940), which relate to the creation of municipal housing authorities.

Local Government.

By Messrs. Cornett and Brassell:

H. 437. To authorize each county in this state, in which voting machines may now or hereafter be authorized or required to be used in the conduct of elections, to sell and issue from time to time interest bearing warrants or certificates of indebtedness of such county for the purpose of acquiring or providing voting machines for the conduct of elections in such county; authorizing each such county to pledge and use, for payment of the principal of and interest on such warrants and certificates, so much as may be necessary for such purpose of the $\frac{1}{6}$ of 1% ad valorem tax which such county is now authorized to levy without reference to its purpose, and specifying the effect and priority of any such pledge; and authorizing the refunding of such warrants and certificates.

Ways and Means.

By Messrs. Cornett and Brassell (with notice and proof):

H. 438. To amend Section 1 of Act No. 47, H. 121, approved June 3, 1953, entitled, "An Act relating to Russell County; providing for the appointment of an additional deputy sheriff, prescribing his duties, and fixing his compensation," (Acts of the 1953 Regular Session, Vol. I, page 59).

Local Legislation No. 1.

Notice and Proof H. 438:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 1 of Act. No. 47, H. 121, approved June 3, 1953, entitled, "An Act relating to Russell County; providing for the appointment of an additional deputy sheriff, prescribing his duties, and fixing his compensation," (Acts of the 1953 Regular Session, Vol. I, page 59).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 47, H. 121, approved June 3, 1953, entitled, "An Act relating to Russell County; providing for the appointment of an additional deputy sheriff, prescribing his duties, and fixing his compensation," (Acts of the 1953 Regular Session, Vol. I, Page 59), is amended to read as follows:

"The governing body of Russell County may authorize the sheriff to appoint a deputy in addition to the deputies heretofore provided for by law, whose special duty it shall be to police the county roads and

enforce the rules and regulations promulgated by the county governing body to protect the roads and bridges of the county, as provided in the Act approved June 14, 1949 (Act No. 84, H. 388, Acts of the 1949 Regular Session, page 108). The salary of such deputy shall be fixed by the court of county commissioners, board of revenue, or like governing body of Russell County at not less than one hundred seventy-five dollars nor more than two hundred thirty-five dollars monthly, and shall be paid from the gasoline tax funds or the road and bridge funds in the county treasury, as the county governing body and may direct."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

13-20-27-3—4T.

AFFIDAVIT

THE STATE OF ALABAMA, RUSSELL COUNTY

Before me Harold E. Poor, Jr., a Notary Public personally appeared Harold E. Poor, Sr., who being duly sworn, deposes and says that he is publisher of the Phenix City Herald, a Newspaper published in Russell County, and that the attached notice was published in said Newspaper 4 weeks on May 13, May 20, May 27, June 3, 1955.

A Bill to be Entitled An Act To Amend Section 1 of Act No. 47, H. 121.

HAROLD E. POOR, SR.

Sworn to and subscribed before me, this 11 day of June, 1955.

HAROLD E. POOR, JR., N. P.

By Messrs. Cornett and Brassell (with notice and proof):

H. 439. To amend further Section 1 of Act No. 14, H. 119, approved June 19, 1947, entitled, "An Act to authorize the sheriff of Russell County to appoint an additional deputy sheriff, to fix the salary of the deputy, and to require him to give bond," (Local Acts of the 1947 Regular Session, p. 14).

Local Legislation No. 1.

Notice and Proof H. 439:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend further Section 1 of Act No. 14, H. 119 approved June 19, 1947, entitled, "An Act to authorize the sheriff of Russell County to appoint an additional deputy sheriff, to fix the salary of the deputy, and to require him to give bond," (Local Acts of the 1947 Regular Session, p. 14).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 14, H. 119, approved June 19, 1947, entitled, "An Act to authorize the sheriff of Russell County to appoint an additional deputy sheriff, to fix the salary of the deputy, and to require him to give bond," (Local Acts of the 1947 Regular Session, p. 14), as amended, is amended further to read as follows:

"The sheriff of Russell County is authorized to appoint a deputy sheriff in addition to the deputies now provided for by law, whose salary shall be fixed by the governing body of the county at not less than two thousand one hundred dollars (\$2,100.00) nor more than two thousand eight hundred twenty dollars (\$2,820.00) annually, and shall be payable in equal monthly installments out of any funds in the county treasury not otherwise appropriated. The deputy appointed by the sheriff shall hold office at the pleasure of the sheriff."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

13-20-27-3—4T

AFFIDAVIT

THE STATE OF ALABAMA,
RUSSELL COUNTY

Before me Harold E. Poor, Jr., a Notary Public personally appeared Harold E. Poor, Sr., who being duly sworn, deposes and says that he is publisher of the Phenix City Herald, a Newspaper published in Russell County, and that the attached notice was published in said Newspaper 4 weeks on May 13-May 20-May 27-June 3, 1955.

A Bill to be Entitled an Act To amend further Section 1 of Act No. 14, H. 119.

HAROLD E. POOR, SR.

Sworn to and subscribed before me, this 11 day of June, 1955.

HAROLD E. POOR, JR., N. P.

By Messrs. Cornett and Brassell (with notice and proof):

H. 440. To amend further Section 2 of Act No. 78, H. 382, approved May 28, 1943, entitled, "An Act to authorize and empower the sheriff of Russell County, Alabama, to appoint, in addition to the deputy or deputies as now provided by law, a special or general deputy, fix his tenure of office, prescribe his duties, fix his compensation and to authorize and require the court of county commissioners to pay the same by warrant drawn on the treasurer and paid out of the general funds of said county, and to require said deputy to give bond in the sum of \$1,000.00, payable to said sheriff, with conditions as required by law," (Local Acts of the 1943 Regular Session, p. 43).

Local Legislation No. 1.

Notice and Proof H. 440:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will

be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To amend further Section 2 of Act No. 78, H. 382, approved May 28, 1943, entitled, "An Act to authorize and empower the sheriff of Russell County, Alabama, to appoint, in addition to the deputy or deputies as now provided by law, a special or general deputy, fix his tenure of office, prescribe his duties, fix his compensation and to authorize and require the court of county commissioners to pay the same by warrant drawn on the treasurer and paid out of the general funds of said county, and to require said deputy to give bond in the sum of \$1,000.00, payable to said sheriff, with conditions as required by law," (Local Acts of the 1943 Regular Session, p. 43).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 78, H. 382, approved May 28, 1943, entitled, "An Act to authorize and empower the sheriff of Russell County, Alabama, to appoint, in addition to the deputy or deputies as now provided by law, a special or general deputy, fix his tenure of office, prescribe his duties, fix his compensation and to authorize and require the court of county commissioners to pay the same by warrant drawn on the treasurer and paid out of the general funds of said county, and to require said deputy to give bond in the sum of \$1,000.00, payable to said sheriff, with conditions as required by law," (Local Acts of the 1943 Regular Session, p. 43), as amended, is amended further to read as follows:

"The deputy shall receive as his compensation not less than one hundred seventy-five dollars (\$175.00) nor more than two hundred thirty-five (\$235.00) per month, to be fixed by the court of county commissioners, board of revenue, or like governing body of Russell County."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

13-20-27-3-4T

AFFIDAVIT

**THE STATE OF ALABAMA,
RUSSELL COUNTY**

Before me Harold E. Poor, Jr., a Notary Public personally appeared Harold E. Poor, Sr., who being duly sworn, deposes and says that he is publisher of the Phenix City Herald, a Newspaper published in Russell County, and that the attached notice was published in said Newspaper 4 weeks on May 13 - May 20 - May 27 - June 3, 1955.

A Bill to be Entitled an Act. Amend Section 2 of Act No. 78, H. 382.

HAROLD E. POOR, SR.

Sworn to and subscribed before me, this 11 day of June, 1955.

HAROLD E. POOR, JR., N. P.

By Messrs. Cornett and Brassell (with notice and proof):

H. 441. To validate warrants numbered 3223, 3224, 3225, 4127, 4128, 4129, 4206, 4207, 4208, 4435, 4436 and 4437.

Said warrants being issued by the County Commission for Russell County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 441:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To validate warrants numbered 3223, 3224, 3225, 4127, 4128, 4129, 4206, 4207, 4208, 4435, 4436 and 4437.

Said warrants being issued by the County Commission for Russell County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The action of the County Commission for Russell County, Alabama, in and for issuing warrants numbered 3223, 3224, 3225, 4127, 4128, 4129, 4206, 4207, 4208, 4435, 4436 and 4437 be and the same are in all things validated and approved.

Section 2. This Act shall go into effect immediately upon its passage and approval by the Governor.

Smith, Cornett and Brassell,
Senator and Representatives re-
spectively of Russell County.

20-27-3-10—4T

AFFIDAVIT

THE STATE OF ALABAMA, RUSSELL COUNTY

Before me, Harold E. Poor, Jr., a Notary Public personally appeared Harold E. Poor, Sr. who being duly sworn, deposes and says that he is publisher of the Phenix City Herald, a Newspaper published in Russell County, and that the attached notice was published in said Newspaper 4 weeks on May 20 - May 27 - June 3 - June 10. A Bill to be entitled an Act. To validate warrants numbered 3223, 3224, 3225, 4127, 4128, 4129, 4206, 4207, 4208, 4435, 4436, 4437.

HAROLD E. POOR, SR.

Sworn to and subscribed before me, this 11 day of June, 1955.

HAROLD E. POOR, JR., N. P.

By Messrs. Adams and Vacca:

H. 442. Authorizing the several municipalities within this state to impose an excise tax on local exchange telephone service, in an amount not to exceed three per cent on such service furnished within the corporate limits and in an amount not to exceed one and one-half per cent on local exchange telephone service furnished within the police jurisdiction; providing that the tax shall be collected from the purchaser of such service; providing for certain exemptions; providing for the method and manner and time of collecting and remitting such tax; and providing when this act shall take effect.

Ways and Means.

By Messrs. Johnson (Tallapoosa), Adams, Ward and Brown (Lee):

H. 443. To amend Section 587 of Title 37, Code of Alabama (1940), which relates to appeals from recorder's court.

Local Government.

By Messrs. Johnson (Tallapoosa) and Adams:

H. 444. To amend further Section 80 of Title 36, Code of Alabama (1940), which prohibits the operation of trailers in certain cases; providing for the towing or drawing of a trailer with a farm tractor under certain conditions.

Agriculture.

By Messrs. Selman and Shumate:

H. 445. To amend Section 15, Title 51, Code of Alabama (1940), which relates to the exemption of homesteads from state ad valorem taxes.

Ways and Means.

By Messrs. Selman and Shumate:

H. 446. To amend Section 164 of Title 17, Code of Alabama (1940), which relates to voting booths or compartments and other conveniences required to be provided at each polling place at certain elections.

Ways and Means.

By Mr. Oakley:

H. 447. Relating to education; establishing a placement system under which students may be so assigned to the various state colleges and universities as to promote the students' adjustment to their college environment and to further their educational and mental development; creating a State Placement Commission to administer the system; providing that the members of the commission shall be judicial officers of the State authorized to make determinations regarding certain rights of students in the institutions of higher learning of this State; providing for the appointment, term of office, and compensation of the members of the commission; authorizing and regulating appeals from decisions of the commission; and directing the several state departments, agencies, institutions, and political subdivisions and agencies thereof to furnish assistance to the commission.

Education.

By Mr. Oakley:

H. 448. To amend Section 167 of Title 52, Code of Alabama (1940), which relates to city schools.

Education.

By Mr. Oakley:

H. 449. To amend Section 93 of Title 52, Code of Alabama (1940), which relates to schools.

Local Government.

By Mr. Oakley:

H. 450. To amend Section 297 of Title 52, Code of Alabama (1940), which provides for compulsory attendance of children at school.

Education.

By Mr. Oakley:

H. 451. Proposing an amendment to the Constitution of Alabama relating to the public schools.

Education.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Fite and Martin:

H. 452: To authorize and provide for the planning, designation, establishment, use, regulation, alteration, improvement, maintenance, and vacation of controlled-access facilities; defining such terms; providing for the acquisition of lands required therefor; the restriction of intersections and control of approaches; the establishment of local service roads; the prohibition of certain acts thereon and provision for penalties therefor; and for other purposes.

Transportation.

By Messrs. Nice, Meeks, Kaul, Brassell and Vacca:

H. 453. To amend Section 179 of Title 13 of the Code of Alabama (1940) relating to the expenses of Circuit Judge when holding court outside his circuit.

Ways and Means.

By Mr. Harrison:

H. 454. To amend Section 19 of Title 42, Code of Alabama (1940), which relates to probation and suspension of execution of sentence.

Judiciary.

By Messrs. Dawkins and Grouby:

H. 455. To authorize and empower the Alcoholic Beverage Control Board to lease trucks, road tractors and trailers, and similar equipment when needed for the transportation of alcoholic beverages purchased, stored, or sold by it.

Ways and Means.

By Messrs. Goodwyn, Nolen, Hall, Selman, Shumate, Meeks, Nice, Kaul, Vacca, Lackey, Hawkins and Dawkins: :

H. 456. To make an appropriation in the amount of \$6,500, or so much thereof as may be necessary, to the Department of Industrial Relations for the purchase of equipment and supplies for the Division of Safety and Inspection within said Department, which appropriation shall be in addition to any and all other appropriations heretofore made for said Department for the fiscal year October 1, 1954 - September 30, 1955.

Ways and Means.

BILLS ON THIRD READING

H. 342. To amend Section 2 of Act No. 279, approved August 5, 1953, Acts of Alabama, 1953, entitled, "An Act Relating to Counties having a population of not less than 73,000 nor more than 93,000 inhabitants: providing that witness certificates obtained as a State's witness before the grand jury or a court in which a criminal prosecution is pending shall be paid immediately upon presentation for payment."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Branyon	Dawkins	Ferrell
Adams	Brassell	deGraffenried	Franklin
Albea	Brewer	Dement	Gilchrist
Ashworth	Broadfoot	DeSear	Gist
Bassett	Brooks	Dickson	Goodwyn
Boyd	Brown (Lamar)	Edwards (Escambla)	Gregory
Bradford	Burkhalter	Edwards (Jefferson)	Grouby
Brannan	Crook	Faulk	Hain

Hall	Kirkham	Molette	Solomon
Haltom	Law	Money	Speaks
Hanby	Lee (Barbour)	Nettles	Steagall
Hardy	Lee (Lawrence)	Nolen	Stembridge
Harvey	Locke (Perry)	Oakley	Stokes
Hodges	Love	Oden	Summerlin
Holliman	McClendon	Payne	Taylor
Huddleston	McKay	Pirkle	Thomas
Hunt	McLendon	Ramey	Tyson
Johnson (Elmore)	McNider	Roberts	Vacca
Johnson (Tallapoosa)	Martin	Selman	Ward
Kelly	Mathews	Shumate	Windle
Kendall	Mathison	Simon	Wood
Killough	Meeks		

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And the bill:

H. 340. Relating to Marion County; to amend Section 5 of Act No. 58 adopted at the Second Special Session of the Legislature of Alabama of 1955 so as to change the method and purpose of distribution of the revenue arising from the tax levied by said act and so as to authorize the use and pledge of a portion thereof for the payment of the principal of and interest on certain securities which may be issued pursuant to law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Elmore)	Oden
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Payne
Albea	Edwards (Jefferson)	Kelly	Pirkle
Ashworth	Faulk	Kendall	Ramey
Bassett	Ferrell	Killough	Reynolds
Boyd	Franklin	Lackey	Roberts
Bradford	Gilchrist	Law	Selman
Brannan	Gist	Lee (Lawrence)	Shumate
Branyon	Goodwyn	Locke (Perry)	Simon
Brassell	Gregory	Love	Solomon
Brewer	Grouby	McClendon	Speaks
Broadfoot	Hain	McKay	Steagall
Brooks	Hall	McLendon	Stembridge
Brown (Lamar)	Haltom	McNider	Taylor
Burkhalter	Hanby	Mathison	Tyson
Cornett	Hardy	Molette	Vacca
Crook	Hodges	Money	Ward
Davis	Huddleston	Nettles	Windle
Dawkins	Hunt	Nolen	Wood
deGraffenried	Jenkins	Oakley	

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And the bill:

S. 89. To impose extra, new, and additional duties on the members of the governing body of all cities in the State of Alabama, operating under the commission form of government, having a population of not less than 40,000 nor more than 55,000 inhabitants, according to the Federal Decennial Census of 1950, or which shall hereafter have such population according to any Federal Decennial Census which shall be hereafter taken, and shall not apply to, or have application in, any other city.

Was read a third time at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Faulk	Kendall	Payne
Albea	Ferrell	Killough	Pirkle
Ashworth	Franklin	Kirkham	Ramey
Bassett	Gilchrist	Lackey	Reynolds
Boyd	Gist	Law	Roberts
Bradford	Goodwyn	Lee (Barbour)	Selman
Branyon	Gregory	Lee (Lawrence)	Shumate
Brassell	Grouby	Locke (Perry)	Simon
Brewer	Hain	Love	Solomon
Broadfoot	Hall	McClendon	Speaks
Brooks	Haltom	McKay	Steagall
Brown (Lamar)	Hanby	McLendon	Stembridge
Burkhalter	Hardy	McNider	Stokes
Cornett	Harvey	Mathews	Summerlin
Crook	Holliman	Mathison	Taylor
Davis	Huddleston	Meeks	Thomas
Dawkins	Hunt	Molette	Tyson
deGraffenried	Jenkins	Money	Vacca
DeSear	Johnson (Tallapoosa)	Nolen	Windle
Dickson	Kelly	Oden	Wood
Edwards (Jefferson)			

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And the bill:

S. 97. Relating to the town of Hurtsboro in Russell County; to alter, rearrange, and extend the boundaries thereof.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Faulk	Kendall	Oden
Adams	Ferrell	Killough	Payne
Albea	Franklin	Kirkham	Pirkle
Ashworth	Gilchrist	Lackey	Ramey
Bassett	Gist	Law	Reynolds
Boyd	Goodwyn	Lee (Barbour)	Roberts
Bradford	Gregory	Lee (Lawrence)	Selman
Brannan	Grouby	Locke (Perry)	Shumate
Branyon	Hain	Love	Simon
Brassell	Hall	McClendon	Solomon
Brewer	Haltom	McKay	Speaks
Broadfoot	Hanby	McLendon	Steagall
Brown (Lamar)	Hardy	McNider	Stembridge
Burkhalter	Hodges	Martin	Stokes
Cornett	Holliman	Mathews	Summerlin
Crook	Huddleston	Mathison	Taylor
Davis	Hunt	Molette	Thomas
Dawkins	Jenkins	Money	Tyson
deGraffenried	Johnson (Elmore)	Nettles	Vacca
Dickson	Johnson (Tallapoosa)	Nice	Windle
Edwards (Jefferson)	Kelly	Nolen	Wood

—84

nd the bill:

H. 352. To authorize and empower the Sheriff of Butler County, Alabama to appoint an additional Deputy; to authorize the Court of County Commissioners to fix the salary of said Deputy; and to provide the method of pay of said Deputy.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Ferrell	Lackey	Oden
Adams	Franklin	Law	Payne
Albea	Gilchrist	Lee (Barbour)	Pirkle
Ashworth	Gist	Lee (Lawrence)	Ramey
Bassett	Gregory	Locke (Perry)	Reynolds
Boyd	Hain	Love	Roberts
Bradford	Hall	McClendon	Selman
Branyon	Haltom	McKay	Shumate
Brewer	Hanby	McLendon	Simon
Broadfoot	Hardy	McNider	Solomon
Brown (Lamar)	Harvey	Martin	Speaks
Brown (Lee)	Holliman	Mathews	Steagall
Burkhalter	Huddleston	Mathison	Stembridge
Cornett	Hunt	Meeks	Stokes
Crook	Jenkins	Molette	Taylor
Dawkins	Johnson (Elmore)	Money	Thomas
deGraffenried	Johnson (Tallapoosa)	Nettles	Tyson
DeSear	Kelly	Nice	Vacca
Dickson	Killough	Nolen	Windle
Edwards (Jefferson)	Kirkham	Oakley	Wood
Faulk			

—81

And the bill:

H. 354. Relating to Clarke County; authorizing nighttime hunting of raccoons and opossums under certain conditions.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Burkhalter	Gregory	Kirkham
Adams	Cornett	Hain	Lackey
Albea	Crook	Hall	Lee (Barbour)
Ashworth	Davis	Haltom	Lee (Lawrence)
Bassett	Dawkins	Hanby	Locke (Perry)
Boyd	deGraffenried	Hardy	Love
Bradford	Dement	Harvey	McClendon
Brannan	DeSear	Hodges	McKay
Branyon	Edwards (Jefferson)	Huddleston	McLendon
Brassell	Faulk	Hunt	McNider
Brewer	Ferrell	Jenkins	Martin
Broadfoot	Franklin	Johnson (Tallapoosa)	Meeks
Brooks	Gilchrist	Kelly	Molette
Brown (Lamar)	Gist	Kendall	Money
Brown (Lee)	Goodwyn	Killough	Nettles

Nice	Ramey	Speaks	Taylor
Nolen	Reynolds	Steagall	Thomas
Oakley	Roberts	Stembridge	Vacca
Oden	Selman	Stokes	Windle
Payne	Shumate	Summerlin	Wood
Pirkle	Simon		

—82

And the bill:

H. 356. To alter, rearrange, and extend the boundaries of the City of Selma in Dallas County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Tallapoosa)	Oakley
Adams	Edwards (Jefferson)	Kelly	Oden
Albea	Faulk	Killough	Payne
Ashworth	Ferrell	Kirkham	Pirkle
Bassett	Gilchrist	Law	Ramey
Boyd	Gist	Lee (Barbour)	Reynolds
Bradford	Goodwyn	Lee (Lawrence)	Roberts
Brannan	Gregory	Locke (Perry)	Selman
Branyon	Grouby	Love	Shumate
Brassell	Hain	McClendon	Simon
Brewer	Hall	McKay	Solomon
Broadfoot	Haltom	McLendon	Speaks
Brooks	Hanby	McNider	Steagall
Brown (Lamar)	Hardy	Martin	Stembridge
Brown (Lee)	Harvey	Mathews	Stokes
Burkhalter	Hawkins	Mathison	Summerlin
Crook	Hodges	Meeks	Taylor
Davis	Holliman	Molette	Thomas
Dawkins	Huddleston	Money	Tyson
deGraffenried	Hunt	Nettles	Vacca
Dement	Jenkins	Nice	Windle
DeSear	Johnson (Elmore)	Nolen	Wood

—88

And the bill:

H. 357. To amend Section One of an Act entitled "An Act to Allow the Sheriff of DeKalb County, Alabama, an Additional Deputy Sheriff to That Now Provided By Law, to Fix the Salary of Said Deputy and to Make Same Payable Out of the General Fund of DeKalb County In Monthly Installments," said Act being Act No. 715, approved by the Governor, September 5, 1951.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Bassett	Branyon	Brooks
Adams	Boyd	Brassell	Brown (Lamar)
Albea	Bradford	Brewer	Burkhalter
Ashworth	Brannan	Broadfoot	Cornett

Crook	Hanby	Locke (Perry)	Reynolds
Davis	Hardy	Love	Roberts
deGraffenried	Harvey	McClendon	Selman
Dement	Hodges	McKay	Shumate
DeSear	Holliman	McLendon	Simon
Dickson	Huddleston	McNider	Solomon
Edwards (Jefferson)	Hunt	Martin	Speaks
Faulk	Jenkins	Mathews	Steagall
Ferrell	Johnson (Elmore)	Mathison	Stembridge
Franklin	Johnson (Tallapoosa)	Molette	Summerlin
Gilchrist	Kelly	Money	Taylor
Gist	Kendall	Nettles	Thomas
Goodwyn	Kirkham	Nolen	Tyson
Gregory	Lackey	Oakley	Vacca
Grouby	Law	Oden	Windle
Hain	Lee (Barbour)	Payne	Wood
Hall	Lee (Lawrence)	Pirkle	

—83

And the bill:

H. 362. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body of every such county to purchase such uniforms as the governing body deems necessary for the use of the uniformed personnel, deputies and other employees of the sheriff of the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Tallapoosa)	Nettles
Adams	Edwards (Jefferson)	Kelly	Nolen
Albea	Faulk	Kendall	Oakley
Ashworth	Ferrell	Killough	Oden
Bassett	Franklin	Kirkham	Payne
Boyd	Gilchrist	Lackey	Pirkle
Bradford	Gist	Law	Ramey
Brannan	Goodwyn	Lee (Barbour)	Reynolds
Branyon	Gregory	Lee (Lawrence)	Roberts
Brassell	Grouby	Locke (Perry)	Simon
Brewer	Hain	Love	Solomon
Broadfoot	Hall	McClendon	Speaks
Brown (Lamar)	Haltom	McKay	Steagall
Brown (Lee)	Hanby	McLendon	Stembridge
Burkhalter	Hardy	McNider	Summerlin
Cornett	Harvey	Martin	Taylor
Crook	Hawkins	Mathews	Thomas
Davis	Hodges	Mathison	Tyson
Dawkins	Holliman	Meeks	Ward
deGraffenried	Huddleston	Molette	Windle
Dement	Hunt	Money	Wood
DeSear	Johnson (Elmore)		

—86

And the bill:

H. 379. Relating to Perry County; Prescribing the manner of registering and paying claims of witnesses summoned and attending on

behalf of the State in criminal cases in the county court of the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	DeSear	Kendall	Oakley
Adams	Edwards (Escambia)	Killough	Oden
Albea	Edwards (Jefferson)	Kirkham	Payne
Ashworth	Faulk	Lackey	Pirkle
Bassett	Ferrell	Law	Ramey
Boyd	Franklin	Lee (Barbour)	Reynolds
Bradford	Gilchrist	Lee (Lawrence)	Roberts
Brannan	Gist	Locke (Perry)	Selman
Branyon	Goodwyn	Love	Shumate
Brassell	Gregory	McClendon	Simon
Brewer	Hain	McKay	Solomon
Broadfoot	Hall	McLendon	Speaks
Brooks	Haltom	McNider	Steagall
Brown (Lamar)	Hanby	Martin	Stembridge
Brown (Lee)	Harvey	Mathews	Summerlin
Burkhalter	Hodges	Mathison	Thomas
Cornett	Holliman	Meeks	Tyson
Crook	Huddleston	Money	Vacca
Davis	Hunt	Nettles	Ward
Dawkins	Johnson (Elmore)	Nice	Windle
deGraffenried	Johnson (Tallapoosa)	Nolen	Wood
Dement	Kelly		

—86

And the bill:

S. 123. Relating to City of Dothan, Houston County; to provide for the relief of city employee G. J. Parrish, Jr., pursuant to Resolution No. 1740 of said City and the concurrence of its Pension Board by allowing credit for prior employment towards retirement.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Faulk	Kirkham	Payne
Albea	Ferrell	Lackey	Pirkle
Ashworth	Franklin	Law	Ramey
Bradford	Gilchrist	Lee (Lawrence)	Reynolds
Brannan	Gist	Locke (Perry)	Roberts
Branyon	Goodwyn	McClendon	Selman
Brassell	Gregory	McKay	Simon
Brewer	Hain	McLendon	Solomon
Broadfoot	Hall	McNider	Speaks
Brown (Lamar)	Haltom	Martin	Steagall
Brown (Lee)	Hanby	Mathews	Stembridge
Burkhalter	Hardy	Mathison	Summerlin
Crook	Hodges	Meeks	Taylor
Davis	Holliman	Molette	Thomas
deGraffenried	Huddleston	Money	Tyson
Dement	Hunt	Nettles	Vacca
DeSear	Johnson (Elmore)	Nolen	Ward
Dickson	Johnson (Tallapoosa)	Oakley	Windle
Edwards (Escambia)	Kelly	Oden	Wood
Edwards (Jefferson)	Killough		

—78

And the bill:

H. 351. To extend, alter and rearrange the boundary lines and corporate limits of the City of Union Springs, in Bullock County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Faulk	Killough	Oden
Adams	Ferrell	Kirkham	Payne
Albea	Gilchrist	Lackey	Pirkle
Ashworth	Gist	Law	Ramey
Bassett	Goodwyn	Lee (Barbour)	Reynolds
Boyd	Gregory	Lee (Lawrence)	Roberts
Bradford	Grouby	Love	Selman
Brannan	Hain	McClendon	Shumate
Branyon	Hall	McKay	Simon
Brassell	Haltom	McLendon	Solomon
Brewer	Hanby	McNider	Speaks
Brown (Lamar)	Hardy	Martin	Steagall
Burkhalter	Harvey	Mathews	Stokes
Cornett	Hawkins	Mathison	Summerlin
Crook	Hodges	Meeks	Taylor
Davis	Holliman	Molette	Thomas
Dawkins	Huddleston	Money	Tyson
deGraffenried	Hunt	Nettles	Vacca
Dement	Johnson (Elmore)	Nice	Ward
Dickson	Johnson (Tallapoosa)	Nolen	Windle
Edwards (Escambia)	Kelly	Oakley	Wood
Edwards (Jefferson)	Kendall		

—86

And the bill:

H. 35 (with amendment): To reapportion the Legislature of Alabama.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Constitution and Elections, said committee amendment being as follows:

Amendment of H. B. 35:

Change the period at the end of Section 2 to a semi-colon and add the following:

If neither county in the district had a resident senator during the last preceding quadrennium, the first senator elected shall be a resident of the county which has been the longest without a resident senator.

And the amendment was adopted.

Yeas 72; Nays 21.

Yeas:

Mr. Speaker	Ashworth	Brannan	Brassell
Adams	Bradford	Branyon	Brewer

Broadfoot	Goodwyn	Kelly	Payne
Brown (Lamar)	Gregory	Kendall	Pinkle
Burkhalter	Grouby	Killough	Reynolds
Cornett	Hall	Lackey	Roberts
Crook	Haltom	Lee (Lawrence)	Selman
Davis	Hanby	Locke (Perry)	Shumate
Dawkins	Hardy	McClendon	Simon
deGraffenried	Hare	McKay	Speaks
Dement	Hawkins	McLendon	Steagall
Edwards (Escambia)	Hodges	McNider	Stembridge
Edwards (Jefferson)	Holliman	Meeks	Stokes
Faulk	Huddleston	Molette	Summerlin
Ferrell	Hunt	Money	Vacca
Franklin	Jenkins	Nice	Ward
Gilchrist	Johnson (Elmore)	Nolen	Windle
Gist	Johnson (Tallapoosa)	Oden	Wood

—72

Nays:

Messrs.	Hain	Mathison	Richardson
Bassett	Harvey	Nettles	Solomon
Boyd	Kirkham	Oakley	Taylor
Brooks	Lee (Barbour)	Pruitt	Thomas
DeSear	Love	Ramey	Tyson
Dickson	Martin		

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Mr. Summerlin offered the following amendment to the bill, H. 35, as amended:

Amendment to H.B. 35:

Amend House Bill 35 by substituting Section 2 with the below:

Section 2. The State is hereby divided into thirty-five senatorial districts, as follows, each district to have and elect one senator: First, Lauderdale and Colbert; second, Limestone and Madison; third, Jackson and Marshall; fourth, Lawrence and Morgan; fifth, Marion and Franklin; sixth, Winston and Walker; seventh, Blount and Cullman; eighth, Cherokee and DeKalb; ninth, St. Clair and Etowah; tenth, Cleburne and Calhoun; eleventh, Jefferson; twelfth, Fayette and Lamar; thirteenth, Hale and Tuscaloosa; fourteenth, Pickens and Green; fifteenth, Sumter and Choctaw; sixteenth, Washington and Clarke; seventeenth, Marengo and Wilcox; eighteenth, Perry and Bibb; nineteenth, Shelby and Chilton; twentieth, Clay and Talladega; twenty-first, Chambers and Randolph; twenty-second, Tallapoosa and Coosa; twenty-third, Lee and Russell; twenty-fourth, Bullock and Macon; twenty-fifth, Elmore and Autauga; twenty-sixth, Montgomery; twenty-seventh, Dallas and Lowndes; twenty-eighth, Butler and Conecuh; twenty-ninth, Baldwin and Monroe; thirtieth, Escambia and Covington; thirty-first, Crenshaw and Pike; thirty-second, Henry and Barbour; thirty-third, Houston and Geneva; thirty-fourth, Coffee and Dale; thirty-fifth, Mobile.

Mr. Brown (Lee) moved that further consideration of the bill, H. 35, and pending amendment, be postponed until the sixteenth legislative day.

MOTION TO RECESS LOST

The motion of Mr. Goodwyn to recess until 2:00 o'clock this afternoon was lost.

Yeas 41; Nays 54.

Yeas:

Mr. Speaker	Gist	Holliman	Mathison
Adams	Goodwyn	Hunt	Oden
Branyon	Gregory	Johnson (Elmore)	Pirkle
Broadfoot	Hain	Johnson (Tallapoosa)	Pruitt
Brown (Lamar)	Hall	Kelly	Speaks
Burkhalter	Hanby	Kendall	Steagall
Dement	Hare	Law	Stembridge
DeSear	Harvey	Love	Tyson
Edwards (Escambia)	Hawkins	McClendon	Vacca
Ferrell	Hodges	McKay	Wood
Franklin			

—41

Nays:

Messrs.	deGraffenried	Lee (Barbour)	Ramey
Albea	Dickson	Lee (Lawrence)	Reynolds
Ashworth	Edwards (Jefferson)	McLendon	Richardson
Bassett	Faulk	McNider	Roberts
Boyd	Gilchrist	Martin	Selman
Bradford	Grouby	Mathews	Shumate
Brannan	Haltom	Meeks	Simon
Brassell	Hardy	Molette	Solomon
Brewer	Huddleston	Money	Stokes
Brooks	Jenkins	Nettles	Taylor
Brown (Lee)	Kaul	Nice	Thomas
Cornett	Killough	Nolen	Ward
Crook	Kirkham	Oakley	Windle
Davis	Lackey	Payne	

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CONSIDERATION OF H. 35 RESUMED

The motion of Mr. Summerlin to lay on the table the motion of Mr. Brown (Lee) to postpone further consideration of the bill, H. 35, and pending amendment, until the sixteenth legislative day was lost.

Yeas 28; Nays 67.

Yeas:

Mr. Speaker	Ferrell	Jenkins	Roberts
Branyon	Gist	Kelly	Selman
Brassell	Goodwyn	Kendall	Shumate
Brown (Lamar)	Gregory	Love	Speaks
Burkhalter	Hanby	Money	Stembridge
Davis	Hawkins	Nolen	Summerlin
Edwards (Escambia)	Holliman	Oden	Wood

—28

Nays:

Messrs.	Brewer	Dement	Hain
Adams	Broadfoot	DeSear	Hall
Albea	Brooks	Dickson	Haltom
Ashworth	Brown (Lee)	Edwards (Jefferson)	Hardy
Bassett	Cornett	Faulk	Hare
Boyd	Crook	Franklin	Harvey
Bradford	Dawkins	Gilchrist	Hodges
Brannan	deGraffenried	Grouby	Huddleston

Hunt	Lee (Lawrence)	Molette	Solomon
Johnson (Elmore)	Locke (Perry)	Nettles	Steagall
Johnson (Tallapoosa)	McClendon	Nice	Stokes
Kaul	McKay	Oakley	Taylor
Killough	McNider	Payne	Thomas
Kirkham	Martin	Pruitt	Tyson
Lackey	Mathews	Ramey	Vacca
Law	Mathison	Richardson	Ward
Lee (Barbour)	Meeks	Simon	Windle

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And the motion of Mr. Brown (Lee) to postpone further consideration of the bill, H. 35, and pending amendment, until the sixteenth legislative day was adopted.

Yeas 72; Nays 25.

Yeas:

Messrs.	Faulk	Kirkham	Payne
Adams	Franklin	Lackey	Pirkle
Albea	Gilchrist	Law	Pruitt
Ashworth	Grouby	Lee (Barbour)	Ramey
Bassett	Hain	Locke (Perry)	Reynolds
Boyd	Halton	Love	Richardson
Bradford	Hanby	McClendon	Simon
Brannan	Hardy	McKay	Solomon
Brewer	Hare	McLendon	Speaks
Brooks	Harvey	McNider	Steagall
Brown (Lee)	Hodges	Martin	Stokes
Cornett	Holliman	Mathews	Taylor
Crook	Huddleston	Mathison	Thomas
Davis	Hunt	Meeks	Tyson
deGraffenried	Johnson (Elmore)	Molette	Vacca
DeSear	Johnson (Tallapoosa)	Nettles	Ward
Dickson	Kaul	Nice	Windle
Edwards (Escambia)	Killough	Oakley	Wood
Edwards (Jefferson)			

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Nays:

Mr. Speaker	Ferrell	Jenkins	Oden
Branyon	Gist	Kelly	Roberts
Brassell	Goodwyn	Kendall	Selman
Brown (Lamar)	Gregory	Lee (Lawrence)	Shumate
Burkhalter	Hall	Money	Stembridge
Dawkins	Hawkins	Nolen	Summerlin
Dement			

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RECESS

On motion of Mr. Windle the House recessed until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:00 o'clock P.M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 238. To authorize any city in the State to provide a site on which the United States Government may establish an air-craft control and warning station, prescribing the procedure for acquiring and conveying such land; and authorizing the city to cooperate in other ways with the United States in the establishment and operation of such station.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Lamberth:

S.J.R. 22. BE IT RESOLVED by the Senate, the House concurring, that when the two Houses adjourn today they adjourn to meet again on Friday, June 17th, 1955.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 22 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Boutwell:

S.J.R. 12. BE IT RESOLVED by the Senate, the House of Representatives concurring, that

WHEREAS this body realizes that many county financial problems are attributable to property tax administration causing local governments to operate on limited income and render inadequate service, and causing said local governments to put more emphasis on privilege licenses and levies which are burdensome to many businesses and individuals, and further causing the State to assume the financial responsibility of many local government functions; and

WHEREAS our State Government is exerting a tremendous effort to provide the necessary revenue for school purposes, and

WHEREAS the effort exerted at the local level can be greatly improved by better administration and supervision of the general property tax both for the benefit of the various counties and for local schools; now therefore

BE IT RESOLVED by the Legislature of Alabama that it go on record as calling upon the State Department of Revenue and the local assessing authorities that a program be begun immediately for the express purpose of equalizing the property taxes in all the counties in this State to the end that no taxpayer shall pay more than his just share of the property tax but that all taxpayers shall pay in exact ratio to the value of their property;

BE IT FURTHER RESOLVED that the Legislature of Alabama go on record as favoring adequate appropriations for the purpose of equalizing the property tax in this State and to facilitate this program by passing new laws or amending our statutes in whatever way may be necessary during this session of the Legislature; provided that proper safeguards and protection for local self-government shall be maintained.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The S.J.R. 12 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Lamberth, Flowers, Metcalf, Leonard, Allen, Roberts, Newton and Moses:

S. 83. To amend Title 22, Section 199, Code of Alabama 1940, as amended, which relates to care and treatment of tubercular patients.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 83. Ways and Means.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 167. To amend Section 369 of Title 15 of the 1940 Code, which relates to appeals in habeas corpus cases.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED BILLS POSTPONED

On motion of Mr. Law, consideration of the bill, H. 196, was postponed until the twentieth legislative day.

On motion of Mr. Simon, consideration of the bill, H. 66, was postponed until the fourteenth legislative day.

On motion of Mr. Simon, consideration of the bill, H. 67, was postponed until the fourteenth legislative day.

And the bill:

H. 197. To amend Section 320 of Title 17, Code of Alabama (1940), which prescribes penalties for certain violations of the election laws.

Was taken up.

The motion of Mr. Law to lay on the table the motion of Mr. Brown (Lamar) to recommit the bill, H. 197, was lost.

Yeas 29; Nays 54.

Yeas:

Messrs.	Franklin	Kelly	McLendon
Brassell	Gilchrist	Kirkham	Nolen
Brown (Lee)	Gist	Law	Ramey
Cornett	Hanby	Locke (Perry)	Solomon
Crook	Hodges	Love	Speaks
DeSear	Holliman	McClendon	Steagall
Dickson	Hunt	McKay	Stokes
Edwards (Escambia)	Johnson (Elmore)		

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Nays:

Mr. Speaker	Dawkins	Kaul	Pruitt
Adams	deGraffenried	Killough	Richardson
Albea	Dement	Lackey	Selman
Ashworth	Edwards (Jefferson)	Lee (Barbour)	Shumate
Bassett	Faulk	Lee (Lawrence)	Simon
Boyd	Ferrell	McNider	Stembridge
Bradford	Goodwyn	Martin	Summerlin
Brannan	Gregory	Mathison	Taylor
Branyon	Hall	Molette	Thomas
Brewer	Haltom	Money	Tyson
Broadfoot	Hardy	Oakley	Ward
Brown (Lamar)	Harvey	Payne	Windle
Burkhalter	Jenkins	Pirkle	Wood
Davis	Johnson (Tallapoosa)		

—54

And the motion of Mr. Brown (Lamar) to recommit the bill, H. 197, was adopted.

Yeas 58; Nays 28.

Yeas:

Mr. Speaker	Broadfoot	Ferrell	Hunt
Adams	Brown (Lamar)	Goodwyn	Jenkins
Albea	Burkhalter	Gregory	Johnson (Tallapoosa)
Ashworth	Davis	Hall	Kaul
Bassett	Dawkins	Haltom	Killough
Boyd	deGraffenried	Hardy	Kirkham
Bradford	Dement	Harvey	Lackey
Branyon	Edwards (Jefferson)	Holliman	Lee (Barbour)
Brewer	Faulk	Huddleston	Lee (Lawrence)

McKay	Payne	Simon	Thomas
McNider	Pirkle	Solomon	Tyson
Martin	Ramey	Stembridge	Ward
Mathison	Richardson	Summerlin	Windle
Money	Selman	Taylor	Wood
Oakley	Shumate		

—58

Nays:

Messrs.	Edwards (Escambia)	Kelly	Molette
Brannan	Franklin	Law	Nice
Brooks	Gilchrist	Locke (Perry)	Nolen
Brown (Lee)	Gist	Love	Pruitt
Cornett	Hanby	McClendon	Speaks
Crook	Hodges	McLendon	Steagall
DeSear	Johnson (Elmore)	Mathews	Stokes
Dickson			

—28

And the Speaker recommitted the bill, H. 197, to the Standing Committee on Judiciary.

And the bill:

H. 199. To amend Section 318 of Title 17, Code of Alabama (1940), which prescribes penalties for certain violations of the election laws.

Was taken up.

The motion of Mr. Law to lay on the table the motion of Mr. Brown (Lamar) to recommit the bill, H. 199, was lost.

Yeas 29; Nays 53.

Yeas:

Messrs.	DeSear	Hodges	Locke (Perry)
Brannan	Dickson	Holliman	McClendon
Brassell	Edwards (Escambia)	Huddleston	Nolen
Broadfoot	Franklin	Hunt	Ramey
Brown (Lee)	Gilchrist	Johnson (Elmore)	Richardson
Cornett	Gist	Kirkham	Speaks
Crook	Hardy	Law	Steagall
Davis	Hare		

—29

Nays:

Mr. Speaker	Edwards (Jefferson)	Lee (Lawrence)	Reynolds
Adams	Faulk	Love	Roberts
Albea	Ferrell	McKay	Selman
Ashworth	Gregory	McLendon	Shumate
Bassett	Hall	McNider	Simon
Boyd	Haltom	Martin	Solomon
Bradford	Hanby	Mathison	Stembridge
Branyon	Jenkins	Molette	Taylor
Brewer	Johnson (Tallapoosa)	Money	Thomas
Brown (Lamar)	Kelly	Nice	Tyson
Burkhalter	Killough	Payne	Ward
Dawkins	Lackey	Pirkle	Windle
deGraffenried	Lee (Barbour)	Pruitt	Wood
Dement			

—53

And the motion of Mr. Brown (Lamar) to recommit the bill, H. 199, was adopted.

And the Speaker recommitted the bill, H. 199, to the Standing Committee on State Administration.

H. 200 POSTPONED

On motion of Mr. Law, consideration of the bill, H. 200, was postponed until the twentieth legislative day.

H. 201 INDEFINITELY POSTPONED

Mr. Brown (Lamar) moved that the bill, H. 201, be recommitted.

Mr. Faulk moved that the bill, H. 201, be indefinitely postponed, and the motion of Mr. Faulk was adopted.

And the bill:

H. 202. To amend Section 305 of Title 17, Code of Alabama (1940), which prescribes penalties for certain violations of the election laws.

Was taken up.

The motion of Mr. Faulk to indefinitely postpone the bill, H. 202, was lost.

Yeas 12; Nays 81.

Yeas:

Mr. Speaker	Brown (Lamar)	Holliman	Oden
Brewer	Davis	Lee (Barbour)	Payne
Brooks	Faulk	Money	Thomas

—12

Nays:

Messrs.	Ferrell	Kaul	Nice
Adams	Franklin	Kendall	Nolen
Albea	Gilchrist	Killough	Oakley
Ashworth	Gist	Kirkham	Pruitt
Bassett	Goodwyn	Lackey	Ramey
Bradford	Gregory	Law	Reynolds
Brannan	Grouby	Lee (Lawrence)	Richardson
Branyon	Hain	Locke (Choctaw)	Roberts
Brassell	Hall	Locke (Perry)	Selman
Broadfoot	Haltom	Love	Simon
Brown (Lee)	Hanby	McClendon	Solomon
Burkhalter	Hardy	McKay	Speaks
Cornett	Hare	McLendon	Steagall
Crook	Harvey	McNider	Stembridge
Dawkins	Hawkins	Martin	Stokes
deGraffenried	Hodges	Mathews	Summerlin
Dement	Huddleston	Mathison	Taylor
DeSear	Hunt	Meeks	Tyson
Dickson	Jenkins	Molette	Vacca
Edwards (Escambia)	Johnson (Elmore)	Nettles	Windle
Edwards (Jefferson)	Johnson (Tallapoosa)		

—81

On motion of Mr. Locke (Perry), the motion of Mr. Brown (Lamar) to recommit the bill, H. 202, was laid upon the table.

Yeas 80; Nays 12.

Yeas:

Messrs.	Franklin	Kaul	Oakley
Adams	Gilchrist	Kendall	Payne
Albea	Gist	Killough	Pruitt
Ashworth	Goodwyn	Lackey	Ramey
Bradford	Gregory	Law	Reynolds
Branyon	Grouby	Lee (Barbour)	Richardson
Brassell	Hain	Lee (Lawrence)	Roberts
Broadfoot	Hall	Locke (Choctaw)	Selman
Brown (Lee)	Haltom	Locke (Perry)	Simon
Burkhalter	Hanby	Love	Solomon
Cornett	Hardy	McClendon	Speaks
Crook	Hare	McKay	Steagall
Davis	Harrison	McLendon	Stokes
Dawkins	Harvey	McNider	Summerlin
deGraffenried	Hawkins	Martin	Taylor
Dement	Hodges	Mathison	Thomas
DeSear	Huddleston	Meeks	Tyson
Dickson	Hunt	Molette	Vacca
Edwards (Escambia)	Jenkins	Nice	Ward
Edwards (Jefferson)	Johnson (Elmore)	Nolen	Windle
Ferrell			

—80

Nays:

Mr. Speaker	Brannan	Brown (Lamar)	Kirkham
Bassett	Brewer	Faulk	Mathews
Boyd	Brooks	Holliman	Money

—12

And said bill, H. 202, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 8.

Yeas:

Messrs.	Franklin	Kelly	Oakley
Adams	Gilchrist	Kendall	Payne
Albea	Gist	Killough	Pirkle
Ashworth	Goodwyn	Kirkham	Pruitt
Bassett	Gregory	Lackey	Ramey
Boyd	Grouby	Law	Reynolds
Bradford	Hain	Lee (Barbour)	Richardson
Brannan	Hall	Lee (Lawrence)	Roberts
Branyon	Haltom	Locke (Choctaw)	Selman
Brassell	Hanby	Locke (Perry)	Shumate
Broadfoot	Hardy	Love	Simon
Brown (Lee)	Hare	McClendon	Solomon
Burkhalter	Harrison	McKay	Speaks
Cornett	Harvey	McLendon	Steagall
Crook	Hawkins	McNider	Stokes
Davis	Hodges	Martin	Summerlin
Dawkins	Holliman	Mathews	Taylor
deGraffenried	Huddleston	Mathison	Thomas
DeSear	Hunt	Meeks	Vacca
Dickson	Jenkins	Molette	Ward
Edwards (Escambia)	Johnson (Elmore)	Nettles	Windle
Edwards (Jefferson)	Johnson (Tallapoosa)	Nice	Wood
Ferrell	Kaul	Nolen	

—90

Nays:

Mr. Speaker	Brooks	Dement	Money
Brewer	Brown (Lamar)	Faulk	Oden

—8

H. 203 POSTPONED

On motion of Mr. Law, consideration of the bill, H. 203, was postponed until the twentieth legislative day.

And the bill:

H. 259. To authorize the execution of any bonds, notes, or other obligations for the payment of money by any city or town of this State, with an engraved, imprinted, stamped or otherwise reproduced facsimile of any signature, seal or other means of authentication, certification or endorsement required or permitted to be recorded thereon.

Was read a third time at length and passed, and ordered sent forthwith to the State without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kaul	Oden
Adams	Faulk	Kelly	Payne
Albea	Ferrell	Kendall	Pirkle
Ashworth	Franklin	Killough	Pruitt
Bassett	Gilchrist	Kirkham	Ramey
Boyd	Gist	Lackey	Reynolds
Bradford	Goodwyn	Lee (Barbour)	Richardson
Brannan	Hain	Lee (Lawrence)	Roberts
Branyon	Hall	Locke (Choctaw)	Selman
Brassell	Haltom	Locke (Perry)	Shumate
Broadfoot	Hanby	Love	Simon
Brooks	Hardy	McClendon	Solomon
Brown (Lamar)	Hare	McKay	Speaks
Brown (Lee)	Harrison	McLendon	Steagall
Burkhalter	Harvey	McNider	Stembridge
Cornett	Hawkins	Martin	Summerlin
Davis	Hodges	Mathison	Taylor
Dawkins	Holliman	Meeks	Thomas
deGraffenried	Huddleston	Molette	Vacca
Dement	Hunt	Money	Ward
DeSear	Jenkins	Nettles	Windle
Dickson	Johnson (Elmore)	Nolen	Wood
Edwards (Escambia)	Johnson (Tallapoosa)		

—90

**REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 238. To authorize any city in the State to provide a site on which the United States Government may establish an air-craft control and warning station, prescribing the procedure for acquiring and conveying such land; and authorizing the city to cooperate in other ways with the United States in the establishment and operation of such station.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 224. Relating to Limestone County: To amend Act No. 355, H. 757, approved August 17, 1953 (Acts of Alabama, 1953, p. 423) entitled "An Act To fix the compensation of the Sheriff of Limestone County and to provide for deputy sheriffs and the compensation thereof, to provide for the feeding of prisoners in Limestone County and regulating the operation of the office of the Sheriff of Limestone County, Alabama, and to repeal all laws in conflict herewith and to provide for the effective date of this act."

Also:

H. 225. Relating to Limestone County: To amend further Act No. 95, H. 395, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 67), entitled "An Act To change the method of compensating the Tax Assessor of Limestone County, placing such officer on a salary, and providing for the administration of his office on a salary basis."

Also:

H. 226. Relating to Limestone County: To amend Act No. 201, H. 605, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 120), entitled "An Act To change the method of compensating the Judge of Probate of Limestone County, placing such officer on a salary, and providing clerks for his office."

Also:

H. 227. Relating to Limestone County: To amend further Act No. 120, S. 210, approved July 17, 1947 (Local Acts of Alabama, 1947, p. 78), entitled "An Act To change the method of compensating the Tax Collector of Limestone County, placing such officer on a salary basis, and providing for the administration of his office on that basis."

Also:

H. 228. Relating to Limestone County: To amend further Act No. 200, H. 604, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 119), entitled "An Act To consolidate and combine the officers of Circuit Clerk, Register of the Circuit Court, Clerk of the Limestone County Court, and Register of the Limestone County Court of Limestone County; and to provide for the election, term of office and compensation of a Circuit Clerk of Limestone County, and for an assistant clerk and his compensation."

Also:

H. 242. To alter or rearrange the boundary lines of the City of

Oneonta, Alabama, so as to include therein and within the Corporate Limits of said City territory not already included therein.

Also:

H. 250. To alter or re-arrange the boundary lines of the Town of Collinsville, DeKalb County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory in DeKalb County, Alabama.

Also:

H. 279. To amend Section 2 of an act entitled an act "To change the method of compensating the Register of the Circuit Court of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him". Local Acts of Alabama, 1947, page 323.

Also:

H. 233. Relating to Pickens County; to amend Act No. 141, S. 329, approved June 28, 1949 which relates to the division of the county for the purpose of selecting members of the County Board of Education; prescribes the duties, rights, qualification and compensation of such members; and provides for their election.

Also:

H. 205. To define, regulate and license barbers and barber colleges, and other like businesses in Escambia County, Alabama, State of Alabama; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission.

Also:

H. 237. Relating to Winston County; reorganizing the county government; abolishing the Highway Board of Winston County and the Court of County Commissioners of Winston County, and creating in lieu thereof the Board of Revenue of Winston County; prescribing the jurisdiction of the Board of Revenue and prescribing its powers and duties; providing for the selection of its members and employees; and prescribing their qualifications, terms, compensation, powers, and duties.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Engelhardt:

S. 143. Relating to Macon County; to prohibit the taking of fish with hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines, and snaglines, from the public waters in such county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA,
COUNTY OF MACON.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Macon County; to prohibit the taking of fish with hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines, and snaglines, from the public waters in such county.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. It shall be unlawful for any person to use any hoop or fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines, or snaglines, in taking or capturing fish from the public impounded waters and navigable streams in Macon County, notwithstanding the fact that such person may be licensed by the Department of Conservation to use such gear in any other county. Any person violating this Act shall be guilty of misdemeanor, and upon conviction shall be punished as prescribed by law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

4-28-4t

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Hal Fisher, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 28, May 5, May 12, and May 19, all in the year 1955.

HAL FISHER

Sworn to and subscribed before me May 20, 1955.

CARRIBEC CARR,
Notary Public

My Commission Expires January 29, 1958.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 143. Local Legislation No. 1.

REQUEST FOR RETURN OF H. 340 FROM SENATE

The motion of Mr. Fite to reconsider the vote by which the bill, H. 340, was passed, was adopted.

And on motion of Mr. Fite the Clerk of the House was directed to request the Senate to return to the House the bill, H. 340, for further consideration.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Newton:

S. 148. To fix the compensation of the superintendent of education in all counties having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 148. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 229. To apply in all counties having a population of not less than 65,000 nor more than 75,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks.

Also:

H. 257. To amend Act No. 57, H. 59, approved April 8, 1955, entitled, "An Act relating to judicial procedure, and to provide for and regulate the selecting and impaneling of juries and alternate jurors in all criminal and quasi-criminal cases in the circuit courts in counties having a population of 400,000 or more according to the last or any future federal census; and to provide for the repeal of sections 221 to 227, both inclusive, of Title 62, Code of 1940, and of all Acts amendatory of said sections."

Also:

H. 282. To apply in all counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census; prescribing the time for

opening and closing the polls in such counties and the municipalities therein.

J. E. SPEIGHT,
Secretary.

BILLS ON THIRD READING RESUMED

H. 174. Relating to actions and parties; providing for the joinder of all or any number of employees of the same employer as plaintiffs in an action against the employer involving a dispute over the payment of wages.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 10.

Yeas:

Mr. Speaker	Edwards (Escambia)	Jenkins	Nolen
Adams	Ferrell	Johnson (Elmore)	Payne
Albea	Franklin	Kaul	Ramey
Ashworth	Gilchrist	Kendall	Reynolds
Bassett	Gist	Lackey	Richardson
Boyd	Goodwyn	Law	Roberts
Bradford	Gregory	Lee (Barbour)	Selman
Brannan	Grouby	Lee (Lawrence)	Shumate
Brassell	Hain	Love	Simon
Brewer	Hall	McClendon	Speaks
Broadfoot	Hanby	McKay	Steagall
Brooks	Hare	McLendon	Stembridge
Brown (Lamar)	Harrison	McNider	Taylor
Burkhalter	Harvey	Martin	Thomas
Cornett	Hawkins	Mathews	Tyson
Davis	Hodges	Mathison	Vacca
Dement	Holliman	Meeks	Ward
DeSear	Huddleston	Molette	Wood
Dickson	Hunt	Money	

—75

Nays:

Messrs.	Kirkham	Oden	Summerlin
Branyon	Nettles	Pirkle	Windle
Haltom	Oakley	Stokes	

—10

And the bill:

H. 173. To amend Section 343 and Section 348 of Title 15, Code of Alabama (1940), which relate to the execution of convicts who have been sentenced to death.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 2.

Yeas:

Mr. Speaker	Bassett	Branyon	Brown (Lee)
Adams	Boyd	Brewer	Burkhalter
Albea	Bradford	Broadfoot	Cornett
Ashworth	Brannan	Brown (Lamar)	Crook

Davis	Hardy	Love	Reynolds
Dawkins	Hare	McClendon	Richardson
deGraffenried	Harrison	McKay	Roberts
Dement	Harvey	McLendon	Selman
DeSear	Hawkins	McNider	Shumate
Dickson	Hodges	Martin	Simon
Edwards (Escambia)	Holliman	Mathews	Solomon
Edwards (Jefferson)	Huddleston	Mathison	Speaks
Faulk	Hunt	Meeks	Steagall
Ferrell	Jenkins	Molette	Stembridge
Franklin	Johnson (Elmore)	Money	Stokes
Gilchrist	Johnson (Tallapoosa)	Nice	Summerlin
Gist	Kaul	Nolen	Taylor
Goodwyn	Kendall	Oakley	Thomas
Gregory	Killough	Oden	Tyson
Grouby	Lackey	Payne	Vacca
Hain	Law	Pirkle	Ward
Hall	Lee (Barbour)	Pruitt	Windle
Haltom	Lee (Lawrence)	Ramey	Wood
Hanby	Locke (Perry)		

—94

Nays Messrs. Kirkham and Nettles.

—2

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 89. To impose extra, new, and additional duties on the members of the governing body of all cities in the State of Alabama, operating under the commission form of government, having a population of not less than 40,000 nor more than 55,000 inhabitants, according to the Federal Decennial Census of 1950, or which shall hereafter have such population according to any Federal Decennial Census which shall be hereafter taken, and shall not apply to, or have application in, any other city.

Also:

S. 97. Relating to the town of Hurtsboro in Russell County; to alter, rearrange, and extend the boundaries thereof.

Also:

S. 123. Relating to City of Dothan, Houston County; to provide for the relief of city employee G. J. Parrish, Jr., pursuant to Resolution No. 1740 of said City and the concurrence of its Pension Board by allowing credit for prior employment towards retirement.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 169. Proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Walker County.

Also:

H. 95. To prohibit any bank, or any officer, agent or director thereof, from establishing a branch or office for the transaction of the banking business other than at the principal place of business of such bank, in any county, notwithstanding the provisions of any general laws of local application, and providing that this action shall not apply in counties where the same is now authorized by law.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Newton:

S.J.R. 23. Resolved by the Senate, the House of Representatives concurring, that H. 169, which has passed both houses, proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Walker County, shall be designated and known as the "Newton, Selman, and Shumate Bill."

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Martin the rules were suspended and the House concurred in and adopted the S.J.R. 23 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House and returns herewith the following House bill:

H.B. 340. Relating to Marion County; to amend Section 5 of Act No. 58 adopted at the Second Special Session of the Legislature of Alabama of 1955 so as to change the method and purpose of distribution of the revenue arising from the tax levied by said act and so as to authorize the use and pledge of a portion thereof for the payment of the principal of and interest on certain securities which may be issued pursuant to law.

J. E. SPEIGHT,
Secretary.

BILLS ON THIRD READING RESUMED

H. 147. To validate and declare legal the creation and establishment of housing authorities, all bonds, notes, contracts, agreements,

obligations and undertakings of said housing authorities, and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto, and to declare said housing authorities bodies corporate and politic.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hunt	Payne
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Pirkle
Ashworth	Faulk	Kaul	Pruitt
Bassett	Ferrell	Kirkham	Ramey
Boyd	Franklin	Lackey	Roberts
Bradford	Gist	Lee (Barbour)	Selman
Brannan	Goodwyn	Lee (Lawrence)	Shumate
Branyon	Gregory	McClendon	Simon
Brassell	Grouby	McKay	Solomon
Brewer	Hain	McLendon	Speaks
Brooks	Hall	McNider	Steagall
Brown (Lamar)	Haltom	Martin	Stembridge
Brown (Lee)	Hanby	Mathews	Summerlin
Burkhalter	Hardy	Mathison	Taylor
Cornett	Hare	Meeks	Tyson
Crook	Harrison	Money	Vacca
Davis	Harvey	Nettles	Ward
Dawkins	Hawkins	Nice	Windle
deGraffenried	Holliman	Nolen	Wood
Dement	Huddleston	Oden	

—79

And the bill:

H. 146. To amend Sec. 1. of Act 614, General Assembly Acts of 1939, approved July 10, 1940 (Chapter 7, Title 25, Code of Alabama 1940)

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	deGraffenried	Hardy	Law
Adams	Dement	Hare	Lee (Barbour)
Albea	Dickson	Harrison	Lee (Lawrence)
Ashworth	Edwards (Escambia)	Harvey	Love
Bassett	Faulk	Hawkins	McClendon
Boyd	Ferrell	Hodges	McKay
Bradford	Franklin	Holliman	McLendon
Brannan	Gilchrist	Huddleston	McNider
Branyon	Gist	Hunt	Martin
Brassell	Goodwyn	Jenkins	Mathews
Brewer	Gregory	Johnson (Elmore)	Mathison
Brooks	Grouby	Johnson (Tallapoosa)	Money
Brown (Lamar)	Hain	Kendall	Nettles
Burkhalter	Hall	Killough	Nolen
Cornett	Haltom	Kirkham	Oden
Davis	Hanby	Lackey	Payne

Pirkle	Selman	Steagall	Tyson
Pruitt	Shumate	Stembridge	Vacca
Ramey	Simon	Summerlin	Ward
Richardson	Solomon	Taylor	Wood
Roberts	Speaks	Thomas	

—83

And the bill:

H. 145. To further provide for the public interest by granting to Housing Authorities and Municipalities certain additional power and authority and to undertake additional activities for the elimination and for the prevention of the development or spread of slums and blight, including functions with respect to rehabilitation and conservation for the restoration and removal of blighted, deteriorated, or deteriorating areas; to provide that all the rights, powers, privileges, and immunities of public or private bodies or agencies applicable with respect to redevelopment projects shall be applicable with respect to such additional activities; to authorize the governing body of the municipality or such public officer or public body as it may designate, to prepare a workable program for utilizing appropriate private and public resources to eliminate and prevent the development or spread of slums and urban blight in the community; and to authorize housing authorities to acquire and dispose of undeveloped vacant land where certain conditions of blight exist or where such action is essential to the clearance, redevelopment, rehabilitation or conservation of slum or blighted areas or to a general slum clearance or urban renewal program of the community.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Faulk	Kendall	Payne
Adams	Ferrell	Killough	Pirkle
Albea	Franklin	Kirkham	Ramey
Ashworth	Gist	Lackey	Reynolds
Bassett	Goodwyn	Law	Richardson
Boyd	Gregory	Lee (Barbour)	Roberts
Bradford	Hain	Lee (Lawrence)	Selman
Brannan	Hall	Locke (Choctaw)	Shumate
Branyon	Haltom	Love	Simon
Brassell	Hanby	McClendon	Solomon
Brooks	Hardy	McKay	Speaks
Brown (Lamar)	Harrison	McLendon	Steagall
Brown (Lee)	Harvey	McNider	Stembridge
Burkhalter	Hawkins	Martin	Summerlin
Cornett	Holliman	Mathews	Taylor
Crook	Huddleston	Mathison	Thomas
Davis	Hunt	Meeks	Tyson
Dawkins	Jenkins	Money	Vacca
deGraffenried	Johnson (Elmore)	Nice	Ward
Dement	Johnson (Tallapoosa)	Nolen	Wood
Edwards (Escambia)	Kaul	Oden	

—83

And the bill:

H. 115. (with substitute). Relating to jurors and juries; providing that at least eighteen persons must be sworn on the grand jury, and

that one of them must be appointed as foreman by the court, and that if the foreman is discharged or excused for any cause after the jury is sworn or charged, the court may appoint another in his place.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

Substitute for H.B. No. 115:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to grand juries; providing that if the foreman of a grand jury is discharged or excused for any cause after the jury is sworn or charged, the court may appoint another in his place.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Hereafter, if the foreman of a grand jury is discharged or excused for any cause after the jury is sworn or charged, the court may appoint one of the other jurors in his place.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Kendall	Payne
Adams	Faulk	Killough	Pirkle
Albea	Ferrell	Kirkham	Pruitt
Ashworth	Franklin	Lackey	Ramey
Bassett	Gilchrist	Law	Reynolds
Boyd	Gist	Lee (Barbour)	Richardson
Bradford	Goodwyn	Locke (Choctaw)	Roberts
Brannan	Gregory	Locke (Perry)	Selman
Branyon	Grouby	Love	Shumate
Brassell	Hain	McClendon	Simon
Brewer	Hall	McKay	Solomon
Brooks	Hanby	McLendon	Speaks
Brown (Lamar)	Hardy	McNider	Steagall
Brown (Lee)	Hare	Martin	Stembridge
Burkhalter	Harrison	Mathews	Stokes
Cornett	Harvey	Mathison	Summerlin
Crook	Hawkins	Meeke	Taylor
Davis	Hodges	Money	Thomas
Dawkins	Huddleston	Nettles	Tyson
deGraffenried	Hunt	Nice	Vacca
Dement	Jenkins	Nolen	Ward
DeSear	Johnson (Elmore)	Oakley	Windle
Dickson	Johnson (Tallapoosa)	Oden	Wood

And said bill, H. 115, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Gilchrist	Kendall	Payne
Adams	Gist	Killough	Pirkle
Albea	Goodwyn	Kirkham	Pruitt
Ashworth	Grouby	Lackey	Ramey
Bassett	Hain	Law	Reynolds
Boyd	Hall	Lee (Barbour)	Richardson
Bradford	Haltom	Locke (Choctaw)	Roberts
Brannan	Hanby	Locke (Perry)	Selman
Branyon	Hardy	Love	Shumate
Brassell	Hare	McClendon	Simon
Brooks	Harrison	McKay	Solomon
Brown (Lamar)	Harvey	McLendon	Speaks
Burkhalter	Hawkins	McNider	Steagall
Cornett	Hodges	Martin	Stembridge
Crook	Holliman	Mathews	Stokes
Davis	Huddleston	Mathison	Taylor
deGraffenried	Hunt	Meeks	Thomas
Dement	Jenkins	Money	Tyson
Dickson	Johnson (Elmore)	Nettles	Vacca
Edwards (Escambia)	Johnson (Tallapoosa)	Nolen	Ward
Faulk	Kaul	Oakley	Windle
Ferrell	Kelly	Oden	Wood
Franklin			

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RESOLUTION

The following resolution was introduced:

By Mr. Adams:

H.R. 32. WHEREAS, important constitutional questions are presented by House Bill No. 330 (copy of which is hereto attached) now pending in the Legislature of Alabama:

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of the Legislature of Alabama that the Justices of the Supreme Court of Alabama are hereby respectfully requested to render their opinion as provided by Title 13, Section 34, of the Code of Alabama of 1940, on the following important constitutional questions:

(1) Will the making and collection of assessments by a municipality, in accordance with the provisions of the bill, against property located outside its corporate limits but within its police jurisdiction, constitute the taking of property without due process of law, in violation of Sections 6 and 13 of the Constitution of Alabama.

(a) When such assessments are made with respect to sanitary sewers?

(b) When such assessments are made with respect to storm water sewers?

(c) When such assessments are made with respect to street improvements (not including sidewalks)?

- (d) When such assessments are made with respect to sidewalks?
- (2) Will the making and collection of any such assessments violate Section 23 of the Constitution of Alabama?
- (3) Do the provisions of the bill authorizing a municipality of the requisite size to construct public improvements outside its corporate limits and within its police jurisdiction and to finance such construction by the issuance of its general obligation securities violate Section 94 of the Constitution of Alabama,
- (a) When such improvements consist of sanitary sewers?
- (b) When such improvements consist of storm water sewers?
- (c) When such improvements consist of street improvements (not including sidewalks)?
- (d) When such improvements consist of sidewalks.
- (4) Do the provisions referred to in the foregoing question (3) authorize the taking without due process of law of the property of taxpayers within the municipality, in violation of Sections 6 and 13 of the Constitution of Alabama?
- (5) Do the provisions referred to in the foregoing question (3) authorize the taking of private property for private use or for the use of corporations, other than municipal, in violation of Section 23 of the Constitution of Alabama?
- (6) Will bonds issued under the provisions of the bill to procure funds for construction of public improvements outside the corporate limits of a municipality but within its police jurisdiction, the cost of which improvements is to be assessed against the property specially benefited by such improvements, be subject to the election requirements of Section 222 of the Constitution of Alabama?
- (7) Will general obligation securities issued under the provisions of the bill to finance street and sidewalk improvements, outside the corporate limits of a municipality but within its police jurisdiction, the cost of which is to be assessed in whole or in part against the property abutting said street and sidewalk improvements, constitute "obligations incurred . . . for street and sidewalk improvements where the cost of the same, in whole or in part, is to be assessed against the property abutting the said improvements," within the meaning of Section 225 of the Constitution of Alabama?
- (8) Do the provisions of the bill authorizing a municipality of the requisite size to issue its bonds payable solely from the proceeds of assessments made under the bill violate Section 94 of the Constitution of Alabama?
- (9) Will enactment of the bill constitute passage of a local law within the meaning of Sections 104, and 106 of the Constitution of Alabama?
- (10) Does the bill contain more than one subject in violation of Section 45 of the Constitution of Alabama?
- (11) Does the bill extend or confer the provisions of a law by reference to its title only, in violation of Section 45 of the Constitution of Alabama?

On motion of Mr. Adams the rules were suspended and H.R. 32 was adopted.

MOTION TO ADJOURN LOST

The motion of Mr. Haltom to adjourn until Friday, June 17, 1955, at nine o'clock A.M., was lost.

Yeas 36; Nays 54.

Yeas:

Mr. Speaker	Gist	Kirkham	Nettles
Ashworth	Goodwyn	Lee (Lawrence)	Nice
Brassell	Hain	Locke (Choctaw)	Oakley
Brown (Lamar)	Haltom	Love	Oden
Burkhalter	Hardy	McKay	Pruitt
Dement	Holliman	Martin	Reynolds
Edwards (Escambia)	Hunt	Mathison	Summerlin
Ferrell	Kelly	Meeks	Taylor
Gilchrist	Kendall	Money	Ward

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Nays:

Messrs.	Dawkins	Jenkins	Roberts
Adams	deGraffenried	Johnson (Elmore)	Selman
Albea	DeSear	Kaul	Shumate
Bassett	Dickson	Killough	Simon
Boyd	Edwards (Jefferson)	Lackey	Solomon
Bradford	Faulk	Law	Speaks
Brannan	Franklin	Lee (Barbour)	Steagall
Branyon	Gregory	Locke (Perry)	Stembridge
Brewer	Hall	McClendon	Stokes
Brooks	Harrison	McLendon	Thomas
Brown (Lee)	Harvey	McNider	Tyson
Cornett	Hawkins	Nolen	Windle
Crook	Hodges	Payne	Wood
Davis	Huddleston	Ramey	

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CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:30 P.M. On June 14, 1955

H. 167

Delivered to the Governor at 3:05 P.M. On June 14, 1955

H. 238

R. T. GOODWYN, JR.
Clerk.

ADJOURNMENT

On motion of Mr. Thomas the House adjourned until Friday, June 17, 1955, at ten o'clock A.M.

Yeas 63; Nays 28.

Yeas:

Mr. Speaker	Ashworth	Brassell	Brown (Lamar)
Adams	Boyd	Brooks	Brown (Lee)

Burkhalter	Harvey	Law	Oden
Cornett	Haltom	Lee (Barbour)	Pirkle
Crook	Hanby	Lee (Lawrence)	Pruitt
Dement	Hardy	Locke (Choctaw)	Reynolds
DeSear	Hodges	Locke (Perry)	Richardson
Edwards (Escambia)	Holliman	Love	Selman
Edwards (Jefferson)	Hunt	McKay	Shumate
Faulk	Jenkins	McLendon	Solomon
Ferrell	Johnson (Elmore)	Martin	Stembridge
Franklin	Kaul	Mathews	Stokes
Gilchrist	Kelly	Mathison	Taylor
Gist	Kirkham	Meeks	Thomas
Goodwyn	Kendall	Nettles	Tyson
Hain	Lackey	Oakley	

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Nays:

Messrs.	Dawkins	Killough	Roberts
Albea	deGraffenried	McClendon	Simon
Bassett	Dickson	McNider	Speaks
Bradford	Gregory	Money	Steagall
Brannan	Hall	Nice	Ward
Branyon	Harrison	Nolen	Windle
Brewer	Huddleston	Payne	Wood
Davis			

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THIRTEENTH DAY

House of Representatives
Montgomery, Alabama
Friday, June 17, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend E. Tipton Carroll, Minister, Cloverdale Christian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Messrs.	Callahan	Gist	Jenkins
Adams	Cornett	Goodwyn	Johnson (Elmore)
Albea	Cox	Gregory	Johnson (Tallapoosa)
Ashworth	Crook	Grouby	Kaul
Bassett	Davis	Hain	Kelly
Boyd	Dawkins	Hall	Kendall
Bradford	deGraffenried	Haltom	Killough
Brannan	Dement	Hanby	Kirkham
Branyon	DeSear	Hardy	Lackey
Brassell	Dickson	Harrison	Law
Brewer	Edwards (Escambia)	Harvey	Lee (Barbour)
Broadfoot	Edwards (Jefferson)	Hawkins	Lee (Lawrence)
Brooks	Faulk	Hodges	Locke (Choctaw)
Brown (Lamar)	Ferrell	Holliman	Locke (Perry)
Brown (Lee)	Franklin	Huddleston	Love
Burkhalter	Gilchrist	Hunt	McClendon

McKay	Nice	Richardson	Stokes
McLendon	Nolen	Roberts	Summerlin
McNider	Oakley	Selman	Taylor
Martin	Oden	Shumate	Thomas
Mathews	Perry	Simon	Tyson
Mathison	Pirkle	Solomon	Vacca
Meeks	Pruitt	Speaks	Ward
Molette	Ramey	Steagall	Windle
Money	Reynolds	Stembridge	Wood
Nettles			

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twelfth legislative day and finds the same to be correct.

GEORGE HAWKINS,
Vice-Chairman.

On motion of Mr. Davis, the reading at length of the Journal of the House for the twelfth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the twelfth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 64. To amend Section 148 of Title 52 of the Code of Alabama of 1940 and to define the word "City" as used therein.

Also:

H. 160. To amend Section 566, Title 51, Code of Alabama 1940.

Also:

H. 130. To provide that in addition to all other appropriations heretofore made there is hereby appropriated the additional sum of \$10,000.00 from any funds in the State Treasury not otherwise appropriated for the fiscal year ending September 30, 1955, to be expended for telephone service, stationery, stamps, and necessary office equipment for the office use of circuit solicitors, deputy circuit solicitors or assistants.

Also:

H. 234. To amend Sections 94 to 101, inclusive, of Title 10 of the Code of Alabama of 1940, as heretofore amended, so as to make more specific provision for the consolidation or merger of two or more domestic corporations and of two or more domestic and foreign corporations, to make more specific provision for the rights of dissenting stockholders in consolidating or merging domestic corporations, and to provide for the transfer of the rights and properties of consolidating and merging foreign corporations to the resultant corporation.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Leonard, Flowers, Robison, Boutwell, Coleman, Metcalf, Allen, Smith and Roberts:

S. 132. To create a lien in behalf of hospitals upon any cause of action accruing to any injured person to whom such hospital furnished care and treatment; to provide the means of perfecting said lien; to provide for the time in which such lien must be filed and suit brought thereon; to provide that no release or settlement of any such causes of action shall be effective as against such lien unless such hospital or its assignee shall join therein or execute a release therefor; to provide for the filing of such lien; to provide that acceptance of release or satisfaction of any cause of action, suit, claim, counter claim, demand or judgment and any settlement in absence of release or satisfaction of lien shall prima facie constitute impairment of such lien, and to give lien holder right of action at law for damages on account of such impairment, to provide for recovery from one accepting release or satisfaction or making settlement; to except monies due under the Workmen's Compensation Act from the provisions herein and to repeal conflicting laws.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 132. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. James:

S. B. 131. To provide for the transfer of all surplus in the State Treasury to the credit of the Alabama Special Educational Trust Fund, after the payment of all appropriations made or hereafter made payable from said fund during the fiscal year ending September 30, 1955, to the Alabama Special Educational Trust Fund Surplus Account: To provide that said funds be used exclusively for increase in the salaries of the teachers in the public school system, the institutions of higher learning, and the trade schools: To provide the method of distribution and payment thereof, and to repeal Act No. 813, approved September 19, 1953 entitled "An Act To provide for the transfer on September 30, 1955 of any surplus in the State Treasury to the credit of the Alabama Special Educational Trust Fund, after payment of all appropriations from said funds for the biennium beginning October 1, 1953 and ending September 30, 1955, to the Alabama State Building Commission to be used as a part of the Building Commission Fund".

Also:

By Messrs. Vann, Givhan, Engelhardt, Cantrell, Little, Reeves, Coleman, Flowers, Allen, Metcalf, Boutwell, Yarbrough (Randolph), Davis

(Pickens), Eddins, Cooper, Goodwin, Yarbrough (Autauga), Smith, Grisham, Newton, Moses, Bradford, Dyar and Jones:

S. 127. To authorize and direct the State Highway Department to construct, pave, repair, and maintain roads on the lands used by the agricultural experiment station system of the Alabama Polytechnic Institute.

Also:

By Mr. Vann et al:

S. 128. To amend further Section 632 of Title 51, Code of Alabama (1940), which relates to the disposition of the proceeds of the tax on lubricating oil, greases or substitutes.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 131. Ways and Means.

S. 127. Transportation.

S. 128. Ways and Means.

BILLS ON SECOND READING

Mr. Brassell, Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 34. To amend further Section 20 of Title 34, Code of Alabama (1940), which relates to the grounds for granting divorces from the bonds of matrimony.

H. 144. To amend further Section 46 of Title 61 of the 1940 Code of Alabama, which relates to the probate and record in the courts of the State of Alabama of wills previously admitted to probate and record established in courts of other states, territories, districts and countries subject to the jurisdiction of the United States of America, and of foreign countries not subject to the jurisdiction of the United States of America.

H. 454. To amend Section 19 of Title 42, Code of Alabama (1940), which relates to probation and suspension of execution of sentence.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 114. To make it a felony for any person other than a wholesaler, distributor, or dealer, or other person authorized by the Alcoholic Beverage Control Board, to have in his possession any unattached Alabama revenue stamps, crowns, or lids used for the purpose of identifying alcoholic beverages sold or distributed under the provisions of Title 29 of the Code of Alabama (1940).

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the follow-

ing bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 115 (with substitute). To make it a felony for any person other than a carrier operating under a permit issued by the Interstate Commerce Commission or the Alabama Public Service Commission, or persons, firms, corporations, or associations of persons designated by the Alabama Alcoholic Beverage Control Board, to transport certain alcoholic beverages which do not have affixed thereto stamps, crowns, or lids denoting the payment of Alabama taxes on such beverages.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 455. To authorize and empower the Alcoholic Beverage Control Board to lease trucks, road tractors and trailers, and similar equipment when needed for the transportation of alcoholic beverages purchased, stored, or sold by it.

H. 424. To amend Section 1 of Act 515, approved, July 9, 1945 as amended, which relates to the Employees' Retirement System of Alabama.

H. 336. To amend Section 1 of Act No. 689 of the Legislature of 1953, entitled "An Act relating to highways; to authorize the State Highway Department to construct, repair and maintain roads on land owned by the State and designated as the Agricultural Center on which the State Coliseum Building is located" approved September 17, 1953, General Acts of 1953, page 941, by authorizing the State Highway Department to construct roads, driveways, walkways and vehicular parking areas on the property of the Agricultural Center.

H. 420. To make an appropriation for the installation of a gas chamber at Kilby Prison.

Mr. Summerlin Chairman of the Standing Committee on Education reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 117. To recognize the Alabama Association of School Board Members as an organization and representative agency of the members of the school boards of the State; to authorize State and local school boards and agencies to cooperate with said association in its programs; and to confer powers and authority upon said Association and the several school boards of the State in carrying out the objectives of the Association.

Mr. Lackey Chairman of the Standing Committee on Health reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 277. To provide for an additional member of the Advisory Board created to assist in establishing rules, regulations, and standards pursuant to Act No. 530, H. 635, approved September 2, 1949, relating to the licensing of hospitals, sanatoria, rest homes, nursing homes, and related institutions.

S. 33. To regulate the sale, possession, displaying, offering for sale and use of fireworks in the State of Alabama. To regulate the periods of sale, provide for public display of fireworks, and to prescribe penalties for any violation of this act or any regulation promulgated under its authority.

S. 113. To amend Section 313 of Title 2, Code of Alabama (1940), which relates to the adulteration of soda water or other soft drinks or beverages; authorizing and regulating the manufacture and sale of soda water or other soft drinks or beverages containing artificial or non-nutritive sweetening which are manufactured for special dietary use by persons requiring a sugar-free diet.

Mr. Solomon Chairman of the Standing Committee on Agriculture reported that said Committee in session had acted on the following bill and ordered same returned to the House Without Recommendation and with amendments and it was read a second time and placed on the Calendar, to-wit:

H. 377 (without recommendation & with amendments). Regulating further the testing, inspecting, and grading of milk, cream, and milk products with respect to the public health; prescribing certain duties and authority of the Department of Agriculture & Industries, the Commissioner of Agriculture & Industries, and the State Board of Health; providing for the cooperation and exchange of information between the Department of Agriculture & Industries, the State Board of Health, and the Alabama State Milk Control Board in the making of any surveys, investigations, and inquiries made for the purpose of determining whether or not, or in what manner, the production, processing, and distributing of milk, cream, and milk products may affect the public health; prescribing conditions and requirements for milk transported into Alabama from other states; and prescribing a penalty for violations of this Act.

Mr. Solomon, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 378. To provide that it shall be mandatory that the quota provisions of Sections 205-231, Code of Alabama, 1940, be applicable only to wholesale producer licensees of the Alabama State Milk Control Board with an exception.

Mr. Meeks, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 426. An Act to authorize in any county in the State of Alabama having a population of more than 500,000 according to the last or any subsequent Federal census, the creation of a public corporation which may be vested with all or any of the following powers: (1) to establish, maintain and operate one or more hospital, clinics, centers and other facilities for the prevention, treatment or diagnosis of tuberculosis; (2) to furnish medicines, supplies, nurses, technicians, physicians and other personnel and all other items appropriate for the maintenance and operation of any such hospital, clinic, center or facility; (3) to lease, construct, own, or otherwise acquire lands, buildings, hospitals, clinics, centers, or other facilities and equipment appropriate for the prevention, treatment or diagnosis of tuberculosis; (4) to disseminate

knowledge concerning the cause, prevention and treatment of tuberculosis; (5) to do all things and acts having as their object the relief of those afflicted with tuberculosis, and the control and prevention of that disease throughout the county; to provide for the method of forming said corporation; to provide that said corporation shall constitute a public corporation; to provide for the determination of which of the foregoing powers said corporation shall have to provide for the change of the corporate name and amendments of the corporate certificate or charter; to provide for the management of said corporation by a board of directors, the means of the appointment of the directors, their duties and authority and their term of office; to empower any such corporation to borrow money and issue bonds, notes or other evidence of indebtedness and execute mortgages, deeds of trust or other conveyances and instruments as security for money so borrowed; to provide for such corporation to accept property by gift, bequest or devise, and to accept by gift, grant, loan or otherwise, any funds from The United States Government, or any agency thereof, for the furtherance of any one or more of its corporate purposes, upon such terms and conditions as may be prescribed by The United States Government, or any agency thereof; to otherwise define the powers and duties of the corporation; and to accord any such corporation exemption from State, county or city taxes.

Mr. Grouby, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 302. Defining blind persons, blind-made products and services; prohibiting the sale, distribution, or exhibition of any products or services which are purported to be blind-made other than as herein defined; and providing a penalty.

H. 304. Relating to the blind and visually handicapped; authorizing the Adult Blind Department of the Alabama Institute for Deaf and Blind to maintain, develop and supervise work shops and home industries for blind and visually handicapped persons, and to act as sales agent for the products made by blind and visually handicapped persons and for services of such persons; requiring state departments, agencies and institutions to purchase articles produced by the blind and services rendered by the blind under the supervision of the Adult Blind Department of the Alabama Institute for Deaf and Blind; prescribing the procedure for the requisitioning, purchasing and supply of such articles and services and authorizing political subdivisions of the State to purchase blind-made articles and to procure the services of the blind and visually handicapped in the same manner that state departments, agents and institutions procure them.

H. 338. To amend Section 144 of Title 45 of the 1940 Code of Alabama, as amended by An Act of the Legislature, approved July 7, 1945 (General Acts of Alabama, 1945, page 502).

Mr. Bassett, Vice-Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 421. To amend Sections 2 and 3 of Local Act No. 162 (1943) of the Legislature of Alabama, approved June 17, 1943, entitled 'An Act to fix the salary of the Judge of Probate of Cherokee County, Alabama,

the Tax Collector of Cherokee County, the Tax Assessor of Cherokee County, the Clerk of the Court of Cherokee County, the Register in Chancery of Cherokee County, the Deputy Solicitor of Cherokee County, the Sheriff of Cherokee County; to provide for his deputies and to provide for clerical assistance and other expenses of said officers of Probate Judge and Sheriff; to require each of said officers to collect all the fees, compensation and allowances heretofore collected by said officers and which may hereafter be collected by said officers and cover same into the County Treasury on or before the fifth day of each month and to provide for the payment of the salary of clerical assistance and office expense by the Treasury of the County."

H. 428. To extend, alter and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

H. 429. To permit any bank in Lawrence County to establish one or more branches, or additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business, subject to the approval of the State Superintendent of Banks.

H. 409. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Elmore County.

The above bill was read a second time at length as required by the Constitution.

H. 439. To amend further Section 1 of Act No. 14, H. 119, approved June 19, 1947, entitled, "An Act to authorize the sheriff of Russell County to appoint an additional deputy sheriff, to fix the salary of the deputy, and to require him to give bond," (Local Acts of the 1947 Regular Session, p. 14).

H. 438. To amend Section 1 of Act No. 47, H. 121, approved June 3, 1953, entitled, "An Act relating to Russell County; providing for the appointment of an additional deputy sheriff, prescribing his duties, and fixing his compensation," (Acts of the 1953 Regular Session, Vol. I, page 59).

H. 440. To amend further Section 2 of Act No. 78, H. 382, approved May 28, 1943, entitled, "An Act to authorize and empower the sheriff of Russell County, Alabama, to appoint, in addition to the deputy or deputies as now provided by law, a special or general deputy, fix his tenure of office, prescribe his duties, fix his compensation and to authorize and require the court of county commissioners to pay the same by warrant drawn on the treasurer and paid out of the general funds of said county, and to require said deputy to give bond in the sum of \$1,000.00, payable to said sheriff, with conditions as required by law," (Local Acts of the 1943 Regular Session, p. 43).

H. 441. To validate warrants numbered 3223, 3224, 3225, 4127, 4128, 4129, 4206, 4207, 4208, 4435, 4436 and 4437.

Said warrants being issued by the County Commission for Russell County, Alabama.

H. 423. Proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Conecuh County.

The above bill was read a second time at length as required by the Constitution.

Mr. Grouby, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 303 (with substitute). To authorize and provide for the operation of stands in buildings and on properties of the State of Alabama, its agencies, institutions, and political sub-divisions by blind persons, for the purpose of providing blind persons with remunerative employment, enlarging the economic opportunities of the blind, and stimulating the blind to greater efforts in striving to make themselves self supporting.

Mr. Bassett, Vice-Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 143. Relating to Macon County; to prohibit the taking of fish with hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines, and snaglines, from the public waters in such county.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Brannan:

H. 457. (With Notice and Proof). Relating to Baldwin County; providing that any savings and loan association organized and operating under the provisions of Chapter 11 of Title 5, Code of Alabama (1940), as amended, and existing in any such county, may, with the approval of the Savings and Loans Commissioner, State Department of Commerce, open, establish, and maintain a branch office in Fairhope, Alabama, in said county.

Local Legislation No. 1.

Notice and Proof H. 457:

LEGAL NOTICE

STATE OF ALABAMA, BALDWIN COUNTY.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Baldwin County; providing that any savings and loan association organized and operating under the provisions of Chapter 11 of Title 5, Code of Alabama (1940), as amended, and existing in any such county, may, with the approval of the Savings and Loans Commissioner, State Department of Commerce, open, establish, and maintain a branch office in Fairhope, Alabama, in said county.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any savings and loan association in Baldwin County created and operating under the authority of Chapter 11, Title 5, Code

of Alabama (1940), as amended, may, with the approval of the Savings and Loans Commissioner, State Department of Commerce, open, establish, and maintain a branch office in Fairhope, Alabama, in said County.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

18-4tc

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

E. R. Morrisette, Jr., being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of a Bill was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication May 19, 1955 Vol. 66 No. 18.

Date of 2nd publication May 26, 1955 Vol. 66 No. 19.

Date of 3rd publication June 2, 1955 Vol. 66 No. 20.

Date of 4th publication June 9, 1955 Vol. 66 No. 21.

Subscribed and sworn before the undersigned this 14 day of June, 1955.

DOROTHY MARTIN,
Notary Public, Baldwin County.

E. R. MORRISETTE, JR.,
Editor.

By Mr. Brannan:

H. 458. To create and establish a fund in the State Treasury to be designated as the Shipping Point Inspection Fund and to provide for deposits therein of certain funds, fees, costs, charges and collections; to provide for the withdrawal and expenditure of amounts deposited into the Shipping Point Inspection Fund.

Agriculture.

By Mr. Brannan:

H. 459. To amend Section 327 of Title 2, Code of Alabama of 1940 relating to funds or fees collected by the Department of Agriculture and Industries for grading and inspection of grain.

Agriculture.

By Mr. Brannan:

H. 460. To amend Section 415 of Title 2, Code of Alabama of 1940 relating to funds or fees collected by the Department of Agriculture and Industries for grading and inspection of agricultural products.

Agriculture.

By Mr. Brannan:

H. 461. To provide for the accurate weighing of agricultural products by the State Department of Agriculture and Industries by authorizing the

Commissioner of Agriculture and Industries to designate certain employees or agents of such department and others to perform work as weighmasters and to issue weight certificates upon being appointed as weighmasters; and to authorize the collection of fees and charges for weighing services furnished under the provisions of this Act.

Agriculture.

By Mr. Brannan:

H. 462. To authorize the Commissioner of Agriculture and Industries to provide insurance protection and coverage against accidents and death for the benefit of employees of the Department of Agriculture and Industries engaged in work involving the inspection, grading, and weighing of agricultural products at shipping points, terminals, and receiving centers.

Agriculture.

By Messrs. Taylor and Killough:

H. 463 (With Notice and Proof). To amend Act No. 219, Acts of Alabama, Regular Session, 1949, page 311, entitled "An Act Relating to Butler County: To provide further for the County Board of Education, providing for the election of members, fixing their terms and compensation, and defining their powers and duties."

Local Legislation No. 1.

Notice and Proof H. 463:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF BUTLER.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 219, Acts of Alabama, Regular Session, 1949, page 311, entitled "An Act Relating to Butler County: To provide further for the County Board of Education, providing for the election of members, fixing their terms and compensation, and defining their powers and duties."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 219, Acts of Alabama, Regular Session, 1949, page 311, entitled "An Act Relating to Butler County: To provide further for the County Board of Education, providing for the election of members, fixing their terms and compensation, and defining their powers and duties," is amended to read as follows:

"Section 1. The Board of Education of Butler County, Alabama, shall consist of a chairman and four associate members."

Section 2. Section 2 of Act No. 219, Acts of Alabama, Regular Session, 1949, page 311, is amended to read as follows:

"Section 2. One associate member shall be elected from each of the four commissioners' districts into which the county is now divided by law. Each associate member must be a resident and qualified elector of the district he represents, and shall be nominated and elected by

the qualified electors of that district. The chairman of the board must be a resident and qualified elector of Butler County, and shall be nominated and elected by the qualified electors of the entire county. Except as otherwise hereinafter provided, the chairman and the associate members shall be elected for terms of four years or until their successors are elected and qualified, their terms commencing on the second Tuesday in January immediately following their election."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

May 26-June 2-9-16

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF BUTLER.

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. W. Pride, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was manager of the Butler County News, a newspaper of general circulation published in Butler County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 26, June 2, June 9, and June 16, all in the year 1955.

R. W. PRIDE, SR.

Sworn to and subscribed before me 16th day of June, 1955.

MARION MORGAN,
Notary Public.

By Mr. Oden:

H. 464 (With Notice and Proof). To provide for the compensation of the Court Reporter of the Law and Equity Court of Franklin County, Alabama, and enlarge the duties of such Office.

Local Legislation No. 1.

Notice and Proof H. 464:

STATE OF ALABAMA,
COUNTY OF FRANKLIN.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the compensation of the Court Reporter of the Law and Equity Court of Franklin County, Alabama, and enlarge the duties of such Office.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the Court Reporter for the Law and Equity Court of Franklin County, Alabama, shall attend the sittings and terms of said Court, both at law and in equity, and report in shorthand all the cases tried therein in both sides of said Court when the Court Reporter's services are needed and as directed by the Judge of said Court.

Section 2. That in transcribing the testimony of any evidence and testimony taken by such Court Reporter the transcript shall be made on transcript paper, making an original and two carbon copies, the original of which shall be used by the Clerk or the Register, as the case may be, as part of the record in the case; that the Court Reporter shall be allowed fifteen cents per one hundred words for the original copy and five cents per one hundred words for each carbon copy, to be charged and collected as costs of appeal in the case.

Section 3. That the salary of the said Court Reporter shall be and is hereby fixed at Twenty One Hundred and No/100 Dollars (\$2100.00) per annum, payable in twelve equal monthly installments at the end of each month from the General Fund of the County, on warrant of the presiding officer of the county governing body as per certificate of the Presiding Judge of said court that the service has been performed by the Court Reporter.

14-4

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF FRANKLIN.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Franklin Citizen-Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 7, April 14, April 21, and April 28, all in the year 1955.

CLAUDE E. SPARKES,

Sworn to and subscribed before me April 27, 1955.

KATHRYN R. WOOD,
Notary Public.

Notary Public, Franklin County, Ala.

My commission expires April 2, 1958.

Bonded by Employers Liability Assurance Corporation.

By Mr. Oden:

H. 465. To amend further Section 305 of Title 55, Code of Alabama (1940), which relates to tests to establish registers for employment in the state service.

State Administration.

By Mr. Cox:

H. 466 (With Notice and Proof). For the relief of Charles Bearden, to authorize and direct the governing body of Marshall County, Alabama, to make an appropriation of Seven Hundred and No/100 Dollars out of the GENERAL FUND or the ROAD & BRIDGE FUND for the relief of Charles Bearden for property damage suffered by him as a result of negligence of a county employee, and to provide for the effective date of this Act.

Local Legislation No. 1.

Notice and Proof H. 466:

NOTICE

Notice is hereby given that application will be made to the Legislature of Alabama for the passage of An Act in substance as follows:

"A Bill to be entitled an Act for the relief of Charles Bearden, to authorize and direct the governing body of Marshall County, Alabama, to make an appropriation of Seven Hundred and No/100 Dollars out of the General Fund or the road and bridge fund for the relief of Charles Bearden for property damage suffered by him as result of negligence of a county employee, and to provide for the effective date of this Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The governing body of Marshall County is hereby authorized and directed to pay forthwith, out of the general fund or the road and bridge fund to Charles Bearden forthwith upon the passage and approval of this Act, the sum of Seven Hundred and No/100 Dollars to compensate him for property damage suffered by him on April 20, 1954, as a proximate result of the negligence of an employee of Marshall County in negligently driving a vehicle belonging to said county, said sum to be in full satisfaction of any claim which the said Charles Bearden has or had on account of said damages or negligence.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

W4c-6-8

PROOF OF PUBLICATION

**STATE OF ALABAMA,
COUNTY OF MARSHALL.**

Before me, the undersigned authority in and for said County in said State, this day personally appeared F. S. Ogletree, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was a representative of the Advertiser-Glean, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 18, May 25, June 1, and June 8, all in the year 1955.

F. S. OGLETREE,

Sworn to and subscribed before me June 13, 1955.

**ALICE WELLS HARVEY,
Notary Public.**

By Mr. Cox:

H. 467 (With Notice and Proof). To provide for the relief of H. L. Hughes out of the funds of Marshall County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 467:

PROPOSED LOCAL LAW

Notice is hereby given that application will be made to the Legislature of Alabama for passage of the following law:

"A bill to be entitled an act to provide for the relief of H. L. Hughes out of the funds of Marshall County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

"Section 1. That the county governing body of Marshall County, Alabama, is hereby authorized and empowered to draw from the

general funds of said county a warrant in the sum of Two Hundred Fifty Dollars (\$250.00), which said warrant shall be drawn in favor of H. L. Hughes to compensate him for permanent disability sustained by said H. L. Hughes while in the performance of his duties as an employee of Marshall County, Alabama, on, to-wit, February 8, 1954.

"Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming law.

W4c-6-1

PROOF OF PUBLICATION

STATE OF ALABAMA, COUNTY OF MARSHALL.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Porter Harvey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Advertiser-Gleam, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 11, May 18, May 25, June 1, all in the year 1955.

PORTER HARVEY,

Sworn to and subscribed before me June 10, 1955.

ALICE WELLS HARVEY,
Notary Public.

By Mr. Cox:

H. 468 (With Notice and Proof). For the relief of the Check-R-Board Feed Store, to provide compensation from the General Fund or the Road & Bridge Fund of Marshall County to Check-R-Board Feed Store for property damage resulting from the collapse of a bridge under a public road in Marshall County.

Local Legislation No. 1.

Notice and Proof H. 468:

NOTICE

Notice is hereby given that application will be made to the Legislature of Alabama for the passage of An Act in substance as follows:

A Bill to be entitled an Act for the relief of the Check-R-Board Feed Store, to provide compensation from the General Fund or the Road and Bridge Fund of Marshall County to Check-R-Board Feed Store for property damages resulting from the collapse of a bridge under a public road of Marshall County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Court of County Commissioners of Marshall County is hereby authorized and directed to pay to Check-R-Board Feed Store the sum of Three Hundred and No/100 Dollars, out of the General Fund or the Road and Bridge Fund of Marshall County, to compensate the said Check-R-Board Feed Store for damages to its truck sustained as a proximate result of an accident occurring on May 18, 1954, when a bridge under a public road in Marshall County collapsed, said sum to be in full satisfaction of any claim which the said Check-R-Board Feed Store has or had on account of said damages.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

W4c-6-8

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF MARSHALL.

Before me, the undersigned authority in and for said County in said State this day personally appeared F. S. Ogletree, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was a representative of the ADVERTISER-GLEAM, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 18, May 25, June 1, June 8, all in the year 1955.

F. S. OGLETREE

Sworn to and subscribed before me June 13, 1955.

ALICE WELLS HARVEY,
Notary Public.

By Mr. Cox:

H. 469 (With Notice and Proof). For the relief of L. F. Campbell, to provide compensation from the General Fund or the Road and Bridge Fund of Marshall County to L. F. Campbell for property damage resulting from the collapse of a bridge under a public road of Marshall County.

Local Legislation No. 1.

Notice and Proof H. 469:

NOTICE

Notice is hereby given that application will be made to the Legislature of Alabama for the passage of an Act in substance as follows:

A Bill to be entitled an Act for the relief of L. F. Campbell, to provide compensation from the General Fund or the Road and Bridge Fund of Marshall County to L. F. Campbell for property damage resulting from the collapse of a bridge under a public road of Marshall County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Court of County Commissioners of Marshall County is hereby authorized and directed to pay L. F. Campbell the sum of Two Hundred Sixty and No/100 Dollars out of the General Fund or the Road and Bridge Fund of Marshall County to compensate the said L. F. Campbell for damages to his truck sustained as a proximate result of an accident occurring on January 26, 1954, when a bridge under a public road in Marshall County collapsed, said sum to be in full satisfaction of any claim which the said L. F. Campbell has or had on account of said damages.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

W4c-6-1

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF MARSHALL.

Before me, the undersigned authority in and for said County in said State, this day personally appeared F. S. Ogletree, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was a representative of the ADVERTISER-GLEAM, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 18, May 25, June 1, and June 8, all in the year 1955.

F. S. OGLETREE

Sworn to and subscribed before me June 13, 1955.

ALICE WELLS HARVEY,
Notary Public.

By Messrs. Dawkins, Hawkins, McKay, Johnson (Elmore), Payne, Dement, Meeks, Martin, Brewer, Haltom, Adams, Hall, Lackey, Grouby, Nice, Stembridge, Law, Edwards (Escambia), Ferrell, Hardy, McNider, Kendall, Holliman, Vacca, Ashworth, Steagall, Brown (Lamar), Goodwyn, Shumate, Selman, McClendon, Brassell, Hare, deGraffenried, Callahan, Ramey, Roberts, Gist, Hunt, Oden, McLendon, Huddleston, Thomas, Cornett, Brannan, Burkhalter, Lee (Barbour), Solomon, Oakley, Locke (Choctaw), Richardson, Gilchrist Harvey, Locke (Perry), Speaks, Stokes, Franklin, Mathison, Love, Money, Reynolds, Lee (Lawrence), Gregory, Bradford, Nolen, Boyd, Kirkham, Taylor, Brooks, Hain and Davis:

H. 470. To provide for the construction, maintenance, and operation of five additional trade schools.

Ways and Means.

By Messrs. Brewer and Gilchrist:

H. 471. To provide that the Judges of the Probate Courts, may try inquisitions of lunacy with or without a Jury, and to further provide that when a Jury is demanded in such proceedings, said Jury shall be drawn and impaneled in the same manner as now provided for by law in the appointment of guardians of persons of unsound mind.

Judiciary.

By Mr. Harrison:

H. 472. Proposing to amend further Section 284 of the Constitution of 1901, which relates to the mode of amending the Constitution on proposals submitted by the Legislature.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Nettles and Oakley:

H. 473 (With Notice and Proof). Relating to Wilcox County; regulating the solicitation of membership in certain organizations from among the citizens of Wilcox County; providing for the issuance of permits and payment of fees for the solicitation of membership in such organizations; and prescribing penalties for violations of this Act.

Local Legislation No. 1.

Notice and Proof H. 473:

NOTICE

STATE OF ALABAMA,
COUNTY OF WILCOX.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Wilcox County; regulating the solicitation of membership in certain organizations from among the citizens of Wilcox County; providing for the issuance of permits and payment of fees for the solicitation of membership in such organizations; and prescribing penalties for violations of this Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Before any person shall solicit membership from among the citizens of Wilcox County for any organization of any kind which requires from its members the payment of membership fees or dues, or which is entitled to make assessments against its members, he shall make application in writing to the governing body of Wilcox County for the issuance of a permit to solicit members in such organization.

Section 2. Each application shall give the name and nature of the organization for which the applicant desires to solicit members, whether the organization is incorporated or unincorporated, the location of its principal office and place of business, the name of its officers, the date of its organization, and the amount of its assets and liabilities. Each application shall also contain the places of residence, and the business or profession in which the applicant has been engaged in, during the ten years next preceding the date of the application; information as to whether the applicant is a salaried member or employee of the organization for which he is soliciting members; and the amount of compensation, if any, he receives for obtaining members. Each application shall be accompanied by the names and addresses of at least three persons who can attest to the applicant's good character.

Section 3. The application shall be presented to the governing body of Wilcox County at a regular meeting thereof, and in the event such body desires to investigate further the information contained in the application, or in the event the applicant desires a formal hearing on the application, a hearing shall be set for a time not later than the next regular meeting. At such hearing, the applicant may submit any evidence that he may desire bearing on the application, and any interested person shall have the right to appear and give evidence to the contrary.

Section 4. In passing upon each application, the governing body shall consider the character of the applicant, the nature of the business of the organization for which members are desired to be solicited, and the effect of the nature of the business of the organization upon the general welfare of the citizens of Wilcox County. The grant or denial of an application for a permit shall be determined by vote of the members of such body in the same manner that other matters are passed upon by it.

Section 5. Any person making application for a permit who is a salaried officer or employee of the organization for which he desires to solicit members from among the citizens of Wilcox County, or who receives a fee or other compensation for obtaining members for such organization, shall pay a license fee of \$100.00 dollars upon the issuance of a permit. In addition, he shall pay a fee of \$5.00 dollars for each member of the organization recruited by him from among the citizens of Wilcox County. Any permit issued under the provisions of this section shall be valid until the first day of October next succeeding the date of issuance. All fees collected under the provisions of this section shall be paid into the general fund of the county.

Section 6. Any person soliciting members for any organization which requires from its members the payment of membership fees or dues, or which is entitled to make assessments against its members, without first obtaining the permit provided for by this Act, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$100.00 dollars nor more than \$500.00 dollars and may be imprisoned in the county jail for not less than 30 days nor more than 6 months.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SAM C. NETTLES, JR.,

Representative, Wilcox County

May 12, 19, 26, June 2.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF WILCOX.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Stanley D. Godbold, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wilcox Progressive Era, a newspaper of general circulation published in Camden, Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 12th, May 19th, May 26th, and June 2nd, all in the year 1955.

S. T. GODBOLD

Sworn to and subscribed before me this 14th of June, 1955.

FRANCES M. GODBOLD,
Notary Public Wilcox Co. Ala.

By Messrs. Vacca and Brown (Lee):

H. 474. To amend Section 6, Title 13, Code of Alabama 1940.

Judiciary.

By Messrs. Gilchrist and Brewer:

H. 475. To provide procedure in certain equity suits for bringing in as parties defendant persons not known to be living or dead, and making the decree binding on defendant if living and on his heirs and successors in interest if such person is dead at filing of suit.

Judiciary.

By Mr. Selman:

H. 476. To propose an amendment to the Constitution of Alabama creating and providing for a General Assembly to be composed of one chamber.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 95. To prohibit any bank, or any officer, agent or director thereof, from establishing a branch or office for the transaction of the banking business other than at the principal place of business of such bank, in any county, notwithstanding the provisions of any general laws of local application, and providing that this action shall not apply in counties where the same is now authorized by law.

Also:

H. 169. Proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Walker County.

Also:

H. 205. To define, regulate and license barbers and barber colleges, and other like businesses in Escambia County, Alabama, State of Alabama; and to create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission.

Also:

H. 224. Relating to Limestone County: To amend Act No. 355, H. 757, approved August 17, 1953 (Acts of Alabama, 1953, p. 423) entitled "An Act To fix the compensation of the Sheriff of Limestone County and to provide for deputy sheriffs and the compensation thereof, to provide for the feeding of prisoners in Limestone County and regulating the operation of the office of the Sheriff of Limestone County, Alabama, and to repeal all laws in conflict herewith and to provide for the effective date of this act."

Also:

H. 225. Relating to Limestone County: To amend further Act No. 95, H. 395, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 67), entitled "An Act To change the method of compensating the Tax Assessor of Limestone County, placing such officer on a salary, and providing for the administration of his office on a salary basis."

Also:

H. 226. Relating to Limestone County: To amend Act No. 201, H. 605, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 120), entitled "An Act To change the method of compensating the Judge of Probate of Limestone County, placing such officer on a salary, and providing clerks for his office."

Also:

H. 227. Relating to Limestone County: To amend further Act No. 120, S. 210, approved July 17, 1947 (Local Acts of Alabama, 1947, p. 78), entitled "An Act To change the method of compensating the Tax Collector of Limestone County, placing such officer on a salary basis, and providing for the administration of his office on that basis."

Also:

H. 228. Relating to Limestone County: To amend further Act No. 200, H. 604, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 119), entitled "An Act To consolidate and combine the officers of Circuit Clerk, Register of the Circuit Court, Clerk of the Limestone County Court, and Register of the Limestone County Court of Limestone County; and to provide for the election, term of office and compensation of a Circuit Clerk of Limestone County, and for an assistant clerk and his compensation."

Also:

H. 229. To apply in all counties having a population of not less than 65,000 nor more than 75,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks.

Also:

H. 233. Relating to Pickens County; to amend Act No. 141, S. 329, approved June 28, 1949 which relates to the division of the county for the purpose of selecting members of the County Board of Education; prescribes the duties, rights, qualification and compensation of such members; and provides for their election.

Also:

H. 237. Relating to Winston County; reorganizing the county government; abolishing the Highway Board of Winston County and the Court of County Commissioners of Winston County, and creating in lieu thereof the Board of Revenue of Winston County; prescribing the jurisdiction of the Board of Revenue and prescribing its powers and duties; providing for the selection of its members and employees; and prescribing their qualifications, terms, compensation, powers, and duties.

Also:

H. 242. To alter or rearrange the boundary lines of the City of Oneonta, Alabama, so as to include therein and within the Corporate Limits of said City territory not already included therein.

Also:

H. 250. To alter or re-arrange the boundary lines of the Town of Collinsville, DeKalb County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory in DeKalb County, Alabama.

Also:

H. 257. To amend Act No. 57, H. 59, approved April 8, 1955, entitled, "An Act relating to judicial procedure, and to provide for and regulate the selecting and impaneling of juries and alternate jurors in all criminal

and quasi-criminal cases in the circuit courts in counties having a population of 400,000 or more according to the last or any future federal census; and to provide for the repeal of sections 221 to 227, both inclusive, of Title 62, Code of 1940, and of all Acts amendatory of said sections."

Also:

H. 279. To amend Section 2 of an act entitled an act "To change the method of compensating the Register of the Circuit Court of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him". Local Acts of Alabama, 1947, page 323.

Also:

H. 282. To apply in all counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census; prescribing the time for opening and closing the polls in such counties and the municipalities therein. And finds same correctly enrolled.

GEORGE C. HAWKINS,
Vice-Chairman.

SIGNING OF BILLS

The Speaker Pro Tem of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker Pro Tem:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S.J.R. 23. Relative to designation of H. 169 as the "Newton, Selman, and Shumate Bill".

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker Pro Tem of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Brewer:

H.R. 33. BE IT RESOLVED by the House of Representatives that whereas, our colleague, the Honorable Bob Gilchrist, has attained another milestone in his noteworthy and adventurous life and, whereas, he has recently graduated from the Law School of the University of Alabama with high honors and outstanding scholastic achievements, and

WHEREAS, the House of Representatives does recognize his ability and devotion to duty as a Representative of the people of Morgan County.

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives that the House does extend its congratulations to its honorable colleague on the occasion of his graduation from the Law School of the University of Alabama, and

BE IT FURTHER RESOLVED by the House that a copy of this resolution be spread upon the Journal of the House.

On motion of Mr. Brewer the rules were suspended and H.R. 33 was adopted.

Also:

By Mr. Harrison:

H.R. 34. RESOLVED by the House of Representatives that the Justices of the Supreme Court of Alabama, or a majority of them, are hereby respectfully requested to give this body their written opinions concerning the following important constitutional questions which arise in connection with H.B. 472, a bill pending in the Legislature, and a copy of which is attached to this Resolution and made a part hereof by reference:

Question 1. Is it within the power of the Legislature to initiate the constitutional amendment proposed in said bill?

Question 2. If said bill is duly enacted, and the proposed amendment is submitted, approved, and proclaimed in accordance with the provisions of Section 284 of the Constitution, as amended, would it constitute a valid amendment of the Constitution?

On motion of Mr. Harrison the rules were suspended and H.R. 34 was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 64. TO AMEND SECTION 148 OF TITLE 52 OF THE CODE OF ALABAMA OF 1940 AND TO DEFINE THE WORD "CITY" AS USED THEREIN

Also:

H. 130. To provide that in addition to all other appropriations herefore made there is hereby appropriated the additional sum of \$10,000.00 from any funds in the State Treasury not otherwise appropriated for the fiscal year ending September 30, 1955, to be expended for telephone service, stationery, stamps, and necessary office equipment for the office use of circuit solicitors, deputy circuit solicitors or assistants.

Also:

H. 160. To amend Section 566, Title 51, Code of Alabama 1940.

And finds same correctly enrolled.

GEORGE C. HAWKINS,
Vice-Chairman.

SIGNING OF BILLS

The Speaker Pro Tem of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING

H. 395. To provide for meetings and times of meetings of the governing body of any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Messrs.	Edwards (Jefferson)	Johnson (Tallapoosa)	Nolen
Adams	Faulk	Kendall	Oakley
Albea	Ferrell	Killough	Oden
Ashworth	Franklin	Kirkham	Perry
Bassett	Gilchrist	Lackey	Pruitt
Boyd	Gist	Law	Ramey
Bradford	Goodwyn	Lee (Barbour)	Reynolds
Brannan	Gregory	Lee (Lawrence)	Richardson
Branyon	Grouby	Locke (Choctaw)	Selman
Brassell	Hain	Locke (Perry)	Shumate
Brewer	Hall	Love	Simon
Brooks	Haltom	McClendon	Solomon
Brown (Lamar)	Hanby	McKay	Speaks
Brown (Lee)	Hardy	McLendon	Steagall
Burkhalter	Harrison	McNider	Stembridge
Cornett	Harvey	Martin	Stokes
Cox	Hawkins	Mathews	Taylor
Crook	Hodges	Mathison	Thomas
Davis	Holliman	Meeks	Tyson
Dawkins	Huddleston	Molette	Vacca
Dement	Hunt	Money	Ward
DeSear	Jenkins	Nettles	Windle
Dickson	Johnson (Elmore)	Nice	Wood
Edwards (Escambia)			

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And the bill:

H. 398. To provide an expense allowance to members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 24,500 nor more than 25,725 according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Messrs.	Albea	Boyd	Brannan
Adams	Ashworth	Bradford	Branyon

Brassell	Goodwyn	Kirkham	Nolen
Brewer	Gregory	Lackey	Oakley
Brooks	Grouby	Law	Oden
Brown (Lamar)	Hain	Lee (Barbour)	Pruitt
Brown (Lee)	Hall	Lee (Lawrence)	Ramey
Burkhalter	Haltom	Locke (Choctaw)	Reynolds
Cox	Hanby	Locke (Perry)	Selman
Crook	Hardy	Love	Shumate
Davis	Harvey	McClendon	Simon
Dawkins	Hawkins	McKay	Solomon
deGraffenried	Hodges	McLendon	Speaks
Dement	Holliman	McNider	Steagall
DeSear	Huddleston	Martin	Stembridge
Dickson	Hunt	Mathews	Stokes
Edwards (Escambia)	Jenkins	Mathison	Taylor
Edwards (Jefferson)	Johnson (Elmore)	Meeks	Thomas
Faulk	Johnson (Tallapoosa)	Molette	Tyson
Ferrell	Kelly	Money	Vacca
Franklin	Kendall	Nettles	Ward
Gilchrist	Killough	Nice	Windle
Gist			

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And the bill:

H. 410. For the relief of A. B. Richardson of Elmore County: Authorizing and empowering the court of county commissioners, board of revenue, or like governing body of Elmore County to appropriate from the Gasoline Tax Fund in the county treasury the sum of five hundred dollars (\$500.00) to compensate A. B. Richardson for injuries suffered by him while acting within the line and scope of his employment with the road and bridge department of Elmore County on March 4, 1955.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Messrs.	Dement	Huddleston	Mathison
Adams	Dickson	Hunt	Meeks
Albea	Edwards (Escambia)	Jenkins	Molette
Ashworth	Edwards (Jefferson)	Johnson (Elmore)	Money
Bassett	Faulk	Johnson (Tallapoosa)	Nettles
Boyd	Ferrell	Kelly	Nice
Bradford	Franklin	Kendall	Nolen
Brannan	Gilchrist	Killough	Oakley
Branyon	Gist	Kirkham	Oden
Brassell	Goodwyn	Lackey	Pruitt
Brewer	Gregory	Law	Ramey
Brooks	Grouby	Lee (Barbour)	Reynolds
Brown (Lamar)	Hain	Lee (Lawrence)	Selman
Brown (Lee)	Hall	Locke (Choctaw)	Shumate
Burkhalter	Haltom	Locke (Perry)	Simon
Callahan	Hanby	Love	Solomon
Cornett	Hardy	McClendon	Speaks
Cox	Harrison	McKay	Steagall
Crook	Harvey	McLendon	Stembridge
Davis	Hawkins	McNider	Stokes
Dawkins	Hodges	Martin	Taylor
deGraffenried	Holliman	Mathews	Thomas

Tyson
Vacca

Ward

Windle

Wood

—92

And the bill:

H. 411. Relating to Elmore County; providing for the reidentification of each qualified elector of Elmore County; requiring the board of registrars to purge the lists of qualified electors; and providing a penalty for willfully making a false statement in connection with reidentification.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Messrs.	Dickson	Jenkins	Money
Adams	Edwards (Escambia)	Johnson (Elmore)	Nettles
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Nice
Ashworth	Faulk	Kelly	Nolen
Bassett	Ferrell	Kendall	Oakley
Boyd	Franklin	Killough	Oden
Bradford	Gilchrist	Kirkham	Pruitt
Brannan	Gist	Lackey	Ramey
Branyon	Goodwyn	Law	Reynolds
Brassell	Gregory	Lee (Barbour)	Selman
Brewer	Grouby	Lee (Lawrence)	Shumate
Brooks	Hain	Locke (Choctaw)	Simon
Brown (Lamar)	Hall	Locke (Perry)	Solomon
Brown (Lee)	Haltom	Love	Speaks
Burkhalter	Hanby	McClendon	Steagall
Cornett	Hardy	McKay	Stembridge
Cox	Harrison	McLendon	Stokes
Crook	Harvey	McNider	Taylor
Davis	Hawkins	Martin	Thomas
Dawkins	Hodges	Mathews	Tyson
deGraffenried	Holliman	Mathison	Vacca
Dement	Huddleston	Meeks	Ward
DeSear	Hunt	Molette	Wood

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And the bill:

H. 412. Relating to Elmore County; authorizing and directing the court of county commissioners of Elmore County to provide for the installation and use of voting machines throughout the county in all general, special or primary elections.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Messrs.	Brannan	Burkhalter	DeSear
Adams	Branyon	Cornett	Dickson
Albea	Brassell	Cox	Edwards (Escambia)
Ashworth	Brewer	Crook	Edwards (Jefferson)
Bassett	Brooks	Davis	Faulk
Boyd	Brown (Lamar)	Dawkins	Ferrell
Bradford	Brown (Lee)	Dement	Franklin

Gilchrist	Hunt	McKay	Ramey
Gist	Jenkins	McLendon	Reynolds
Goodwyn	Johnson (Elmore)	McNider	Selman
Gregory	Johnson (Tallapoosa)	Martin	Simon
Grouby	Kelly	Mathews	Solomon
Hain	Kendall	Mathison	Speaks
Hall	Killough	Meeks	Steagall
Haltom	Kirkham	Molette	Stembridge
Hanby	Lackey	Money	Stokes
Hardy	Law	Nettles	Taylor
Harrison	Lee (Barbour)	Nice	Thomas
Harvey	Lee (Lawrence)	Nolen	Tyson
Hawkins	Locke (Perry)	Oakley	Vacca
Hodges	Love	Oden	Ward
Holliman	McClendon	Pruitt	Wood
Huddleston			

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And the bill:

H. 418. To create a Hospital Board in all counties of this state having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent Federal decennial census, provide for the appointment of the members of said Board, their terms of office and compensation, to require said counties and all municipalities located within said counties to make payments to said Hospital Board to aid in the operation of a hospital in said counties and to provide care for charity patients, to require said Hospital Board to operate a hospital in said counties and to prescribe the powers and duties of said Hospital Board, and to provide for meetings of said Board and a fiscal year for the operations of said Hospital Board.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Messrs.	DeSear	Johnson (Tallapoosa)	Nolen
Adams	Dickson	Kelly	Oakley
Albea	Edwards (Escambia)	Kendall	Oden
Ashworth	Edwards (Jefferson)	Killough	Pruitt
Bassett	Faulk	Kirkham	Ramey
Boyd	Ferrell	Lackey	Reynolds
Bradford	Franklin	Lee (Barbour)	Roberts
Brannan	Gilchrist	Lee (Lawrence)	Selman
Branyon	Gist	Locke (Perry)	Shumate
Brassell	Gregory	Love	Simon
Brewer	Grouby	McClendon	Solomon
Brooks	Hain	McKay	Speaks
Brown (Lamar)	Hall	McLendon	Steagall
Brown (Lee)	Haltom	McNider	Stembridge
Burkhalter	Hanby	Martin	Stokes
Callahan	Hardy	Mathews	Summerlin
Cornett	Harvey	Mathison	Taylor
Cox	Hawkins	Meeks	Thomas
Crook	Hodges	Molette	Tyson
Davis	Holliman	Money	Vacca
Dawkins	Huddleston	Nettles	Ward
deGraffenried	Hunt	Nice	Wood
Dement	Jenkins		

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And the bill:

H. 419. To fix the salary of the tax collector of Mobile County, and to regulate the payment thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Messrs.	Dickson	Kelly	Nolen
Adams	Edwards (Escambia)	Kendall	Oakley
Albea	Edwards (Jefferson)	Killough	Oden
Ashworth	Faulk	Kirkham	Pruitt
Bassett	Ferrell	Lackey	Ramey
Boyd	Franklin	Law	Reynolds
Bradford	Gilchrist	Lee (Barbour)	Roberts
Brannan	Gist	Lee (Lawrence)	Selman
Branyon	Gregory	Locke (Perry)	Shumate
Brassell	Grouby	Love	Simon
Brewer	Hain	McClendon	Solomon
Brooks	Hall	McKay	Speaks
Brown (Lamar)	Haltom	McLendon	Steagall
Brown (Lee)	Hanby	McNider	Stembridge
Burkhalter	Hardy	Martin	Stokes
Callahan	Harvey	Mathews	Summerlin
Cornett	Hawkins	Mathison	Taylor
Cox	Hodges	Meeks	Thomas
Crook	Holliman	Molette	Tyson
Davis	Huddleston	Money	Vacca
Dawkins	Hunt	Nettles	Ward
Dement	Jenkins	Nice	Wood
DeSear	Johnson (Tallapoosa)		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Davis (Pickens):

S. 150. Relating to Pickens County: To regulate further the compensation of the county superintendent of education.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

State of Alabama, County of Pickens.

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Relating to Pickens County: To regulate further the compensation of the county superintendent of education.

Section 1. The superintendent of education of Pickens County shall receive such compensation as the county board of education shall direct, not to exceed, however, four thousand eight hundred dollars (\$4,800.00) per annum. The board of education shall fix, approve, and authorize the payment of the traveling expenses incurred by the superintendent of education in the performance of his official duties, but not exceeding the sum of one thousand two hundred dollars (\$1,200.00) per annum.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

4-199-94tc

PROOF OF PUBLICATION

THE STATE OF ALABAMA,
PICKENS COUNTY

Before me, Jack M. Pratt, a Notary Public in and for said County, personally appeared J. Groce Pratt Publisher of The Pickens County Herald & West Alabamian, a newspaper published in said County, who, being by me first duly sworn, states that the attached notice has been regularly published once a week for 4 consecutive weeks in said paper in issues dated as follows:

May 12, 1955, May 19, 1955, May 26, 1955, June 2, 1955.

J. GROCE PRATT.

Subscribed and sworn to before me, this the 8 day of June, 1955.

JACK M. PRATT,
Notary Public.

Also:

By Mr. Van Antwerp:

S. 152. To create a Hospital Board in all counties of this state having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent Federal decennial census, provided for the appointment of the members of said Board, their terms of office and compensation, to require said counties and all municipalities located within said counties to make payments to said Hospital Board to aid in the operation of a hospital in said counties and to provide care for charity patients, to require said Hospital Board to operate a hospital in said counties and to prescribe the powers and duties of said Hospital Board, and to provide for meetings of said Board and a fiscal year for the operations of said Hospital Board.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 150. Local Legislation No. 1.

S. 152. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Lamberth:

S.J.R. 25. BE IT RESOLVED by the Senate, the House concurring, that when the two Houses adjourn today they adjourn to meet again on Tuesday, June 21st, 1955.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Dawkins the rules were suspended and the House concurred in and adopted the S.J.R. 25 set out in the above and foregoing Message from the Senate.

H. 17 POSTPONED

On motion of Mr. Davis, consideration of the bill, H. 17, was postponed until the fifteenth legislative day.

MOTION TO ADJOURN LOST

The motion of Mr. Brassell to adjourn until Tuesday, June 21, 1955, at ten o'clock A.M. was lost.

Yeas 20; Nays 72.

Yeas:

Messrs.	Franklin	Locke (Choctaw)	Solomon
Ashworth	Gist	Love	Steagall
Brooks	Kaul	Mathison	Taylor
Brown (Lee)	Killough	Pruitt	Thomas
Callahan	Lee (Barbour)	Simon	Vacca
Edwards (Escambia)			

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Nays:

Messrs.	Edwards (Jefferson)	Johnson (Elmore)	Oakley
Adams	Faulk	Johnson (Tallapoosa)	Oden
Albea	Ferrell	Kendall	Perry
Bassett	Gilchrist	Kirkham	Pirkle
Boyd	Goodwyn	Lackey	Ramey
Bradford	Gregory	Law	Reynolds
Branyon	Hain	Lee (Lawrence)	Richardson
Brewer	Hall	Locke (Perry)	Roberts
Brown (Lamar)	Haltom	McClendon	Selman
Burkhalter	Hanby	McKay	Shumate
Cornett	Harrison	McLendon	Speaks
Cox	Harvey	McNider	Stembridge
Crook	Hawkins	Martin	Stokes
Davis	Hodges	Mathews	Summerlin
Dawkins	Holliman	Money	Tyson
deGraffenried	Huddleston	Nettles	Ward
Dement	Hunt	Nice	Windle
DeSear	Jenkins	Nolen	Wood
Dickson			

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CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:30 A. M. On June 17, 1955

H. 205

H. 224

H. 225

H. 226

H. 227

H. 229

H. 233

H. 237

H. 242

H. 250

H. 279

H. 257

H. 95

H. 228

H. 282

Delivered to the Secretary of State at 10:35 A.M. on June 17, 1955

H. 169

Delivered to the Governor at 11:25 A.M. on June 17, 1955

H. 64

H. 130

H. 160

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Lee (Barbour) the House adjourned until Tuesday, June 21, 1955, at eleven o'clock A.M.

Yeas 49; Nays 48.

Yeas:

Messrs.	Brannan	deGraffenried	Franklin
Adams	Brooks	DeSear	Gist
Albea	Brown (Lee)	Dickson	Grouby
Ashworth	Burkhalter	Edwards (Jefferson)	Hanby
Bassett	Callahan	Faulk	Harvey
Boyd	Cox	Ferrell	Hodges

Holliman	Locke (Choctaw)	Nettles	Simon
Johnson (Tallapoosa)	Locke (Perry)	Oakley	Solomon
Kaul	Love	Pirkle	Taylor
Killough	McKay	Pruitt	Thomas
Kirkham	Mathison	Ramey	Tyson
Lackey	Meeks	Richardson	Vacca
Lee (Barbour)	Molette		

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Nays:

Messrs.	Goodwyn	Kelly	Oden
Bradford	Gregory	Kendall	Reynolds
Branyon	Hain	Law	Roberts
Brassell	Hall	Lee (Lawrence)	Selman
Brewer	Haltom	McClendon	Shumate
Brown (Lamar)	Hardy	McLendon	Speaks
Cornett	Harrison	McNider	Steagall
Crook	Hawkins	Martin	Stembridge
Davis	Huddleston	Mathews	Stokes
Dawkins	Hunt	Money	Summerlin
Dement	Jenkins	Nice	Windle
Edwards (Escambia)	Johnson (Elmore)	Nolen	Wood
Gilchrist			

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FOURTEENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, June 21, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Earl McMillian, Assistant Minister, Highland Church of Christ, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Brown (Lee)	Faulk	Harrison
Adams	Burkhalter	Ferrell	Harvey
Albea	Callahan	Franklin	Hawkins
Ashworth	Cornett	Gilchrist	Hodges
Bassett	Cox	Gist	Holliman
Boyd	Crook	Goodwyn	Huddleston
Bradford	Davis	Gregory	Hunt
Brannan	Dawkins	Grouby	Jenkins
Branyon	deGraffenried	Hain	Johnson (Elmore)
Brassell	Dement	Hall	Johnson (Tallapoosa)
Brewer	DeSear	Haltom	Kaul
Broadfoot	Dickson	Hanby	Kelly
Brooks	Edwards (Escambia)	Hardy	Kendall
Brown (Lamar)	Edwards (Jefferson)	Hare	Killough

Kirkham	Martin	Payne	Speaks
Lackey	Mathews	Perry	Steagall
Law	Mathison	Pirkle	Stembridge
Lee (Barbour)	Meeks	Pruitt	Stokes
Lee (Lawrence)	Molette	Ramey	Summerlin
Locke (Choctaw)	Money	Reynolds	Taylor
Locke (Perry)	Murphy	Richardson	Thomas
Love	Nettles	Roberts	Tyson
McClendon	Nice	Selman	Vacca
McKay	Nolen	Shumate	Ward
McLendon	Oakley	Simon	Windle
McNider	Oden	Solomon	Wood

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirteenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Oden, the reading at length of the Journal of the House for the thirteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the thirteenth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 234. To amend Sections 94 to 101, inclusive, of Title 10 of the Code of Alabama of 1940, as heretofore amended, so as to make more specific provision for the consolidation or merger of two or more domestic corporations and of two or more domestic and foreign corporations, to make more specific provision for the rights of dissenting stockholders in consolidating or merging domestic corporations, and to provide for the transfer of the rights and properties of consolidating and merging foreign corporations to the resultant corporation.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 270. Relating to Mobile County: To regulate further the office of the judge of probate of said county; authorizing and empowering the judge of probate to create and establish divisions for the performance of the functions and duties of his office, to assign function and duties to such divisions, and to delegate certain powers to the chiefs of such divisions.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Eddins, Robison, Engelhardt, Givhan, Davis (Pickens), Flowers, Coleman, Bradford, James, Yarbrough (Autauga), Shelton, Calvin, Little, Skidmore, Cooper, Davis (Lowndes), Vann and Reeves:

S. 120. To provide the penalty in all general, special, primary or municipal elections for buying or selling votes.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 120. Constitution and Elections.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Coleman:

S. 55. Providing for the holding of a statewide advisory referendum on the question whether women shall be permitted to serve on juries in Alabama.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 55. Constitution and Elections.

BILLS ON SECOND READING

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 269 (With Substitute). To provide for the Chief Assistant to the Clerk of the Inferior Court: to prescribe the duties of the said Chief Assistant; to provide for the manner of the appointment and fix the compensation of said Chief Assistant to the Clerk of the Inferior Criminal Court.

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 271 (With Amendment). To amend Section Three (3) of an Act entitled: "An Act to provide for the appointment of the Clerk of the Inferior Criminal Court of Mobile County; to fix the compensation and term of office of such Clerk and to provide that for such compensation such Clerk shall perform the Ex-Officio duties of the Clerk of the Inferior Civil Court of Mobile County, as well as the duties of Clerk of the Civil Division of the Inferior Criminal Court of Mobile County; and to repeal all laws and parts of laws in conflict herewith," approved August 5, 1953 (Acts of the Legislature 1953, page 352).

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No.1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 457. Relating to Baldwin County; providing that any savings and loan association organized and operating under the provisions of Chapter 11 of Title 5, Code of Alabama (1940), as amended, and existing in any such county, may, with the approval of the Savings and Loans Commissioner, State Department of Commerce, open, establish, and maintain a branch office in Fairhope, Alabama, in said county.

H. 463. To amend Act No. 219, Acts of Alabama, Regular Session, 1949, page 311, entitled "An Act Relating to Butler County: To provide further for the County Board of Education, providing for the election of members, fixing their terms and compensation, and defining their powers and duties."

H. 464. To provide for the compensation of the Court Reporter of the Law and Equity Court of Franklin County, Alabama, and enlarge the duties of such Office.

H. 466. For the relief of Charles Bearden, to authorize and direct the governing body of Marshall County, Alabama, to make an appropriation of Seven Hundred and No/100 Dollars out of the GENERAL FUND or the ROAD & BRIDGE FUND for the relief of Charles Bearden for property damage suffered by him as a result of negligence of a county employee, and to provide for the effective date of this Act.

H. 467. To provide for the relief of H. L. Hughes out of the funds of Marshall County, Alabama.

H. 468. For the relief of the Check-R-Board Feed Store, to provide compensation from the General Fund or the Road & Bridge Fund of Marshall County to Check-R-Board Feed Store for property damage resulting from the collapse of a bridge under a public road in Marshall County.

H. 469. For the relief of L. F. Campbell, to provide compensation from the General Fund or the Road and Bridge Fund of Marshall Coun-

ty to L. F. Campbell for property damage resulting from the collapse of a bridge under a public road of Marshall County.

H. 473. Relating to Wilcox County; regulating the solicitation of membership in certain organizations from among the citizens of Wilcox County; providing for the issuance of permits and payment of fees for the solicitation of membership in such organizations; and prescribing penalties for violations of this Act.

S. 150. Relating to Pickens County: To regulate further the compensation of the county superintendent of education.

S. 152. To create a Hospital Board in all counties of this state having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent Federal decennial census, provide for the appointment of the members of said Board, their terms of office and compensation, to require said counties and all municipalities located within said counties to make payments to said Hospital Board to aid in the operation of a hospital in said counties and to provide care for charity patients, to require said Hospital Board to operate a hospital in said counties and to prescribe the powers and duties of said Hospital Board, and to provide for meetings of said Board and a fiscal year for the operations of said Hospital Board.

H. 390. Relating to Walker County; proposing an amendment to the Constitution of Alabama relative to regulating the costs, and charges of courts in Walker County, and the method of disbursement of same.

The above bill was read a second time at length as required by the Constitution.

S. 148. To fix the compensation of the superintendent of education in all counties having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Lee (Barbour), Hall, McLendon, Franklin, Lee (Lawrence), Thomas, Cornett, Solomon, Selman, Dickson, Nettles, Brooks, Albea, Hardy, Hain, and Molette:

H. 477. To Amend Section 2 of Title 51 of the Code of Alabama of 1940, which Relates to Exemptions from Ad Valorem Taxation.

Ways and Means.

By Messrs. Lee (Barbour), Hall, McLendon, Franklin, Lee (Lawrence), Brassell, Thomas, Solomon, Selman, Dickson, Love, Killough, Brooks, Crook and Oden:

H. 478. Relating to the operation of livestock markets; to amend Section 11 of Act No. 173 (S. 18) of the Legislature of 1951 approved June 29, 1951 (Acts of 1951, Vol. 1, pages 409-415) by authorizing the Commissioner of Agriculture and Industries through appropriate legal proceedings to restrain or enjoin any person from operating a livestock market in violation of said Act.

Agriculture.

By Messrs. Lee (Barbour), Hall, McLendon, Franklin, Lee (Lawrence), Brassell, Thomas, Solomon, Selman, Dickson, Love, Killough, Nettles, Brooks, Crook and Oden:

H. 479. To regulate the weighing of livestock at public livestock markets by requiring persons operating scales on which livestock are weighed for sale purposes to obtain an annual permit from the Commissioner of Agriculture and Industries and to be bonded for the faithful performance of their duties; to provide that livestock sold on the basis of weight at livestock markets must be weighed by a person holding a permit under the provisions of this act; to exempt certain persons from this Act; to prescribe liabilities and a penalty for violations of this Act.

Agriculture.

By Mr. Brannan and Mr. Kendall:

H. 480. Proposing an amendment of the Constitution of 1901 authorizing the levying of special taxes for public hospital purposes.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Albea:

H. 481. To amend Section 398 of Title 51, Code of Alabama (1940), which relates to the rate of the income tax levied and imposed upon corporations.

Ways and Means.

By Mr. Albea:

H. 482. Proposing an amendment to the Constitution of Alabama to fix the rate of income taxes on individuals and corporations at not exceeding five percent of net income.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Hawkins, Ward and Branyon:

H. 483. To amend Section 398 of Title 51, Code of Alabama (1940), which relates to the rate of the income tax levied and imposed upon corporations.

Constitution and Elections.

By Messrs. Hawkins, Ward and Branyon:

H. 484. Proposing an amendment to the Constitution of Alabama to fix the rate of income taxes on individuals and corporations at not exceeding five percent.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Hawkins and Stenbridge:

H. 485. To amend Section 4 of Act No. 46, General and Local Acts 1949, page 68, approved June 2, 1949, entitled "An Act to authorize the incorporation in any county in this state of a public corporation for hospital purposes; to provide the method of effecting the incorporation of such a corporation and electing the members of its board of directors; to specify the powers of such board of directors and the powers of such corporation; to authorize the issuance by such corporation of securities and the mortgage and pledge of its properties and revenues as security therefor; to provide that securities of such corporation shall be negoti-

able instruments and shall be eligible for investment of trust funds; to exempt from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of such corporation; to provide for the dissolution of such corporation; and to authorize the county in which such corporation may be organized and any municipality located in such county to transfer and convey to such corporation without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes," and to amend Section 6 of said Act No. 46, General and Local Acts 1949, page 68, approved June 2, 1949, entitled as aforesaid, as amended by Act No. 57, General Acts 1955, Special Session, approved March 7, 1955, entitled "An Act to amend Section 6 of Act No. 46, S. 154, approved June 2, 1949, an act which authorizes the incorporation in any county of a public corporation for hospital purposes (1949 Acts 68)."

Judiciary.

By Messrs. Hawkins and Fite:

H. 486. To amend Sections 3, 4 and 5 of Act No. 515, H 93, approved July 9, 1945 (General Acts 1945 p. 734) as amended, which relates to the Employees' Retirement System of Alabama.

Ways and Means

By Mr. Summerlin:

H. 487. To make an additional appropriation of \$15,000.00 to the Department of Agriculture and Industries from funds in the State Treasury not otherwise appropriated to be expended for enforcement of the state seed law.

Ways and Means.

By Mr. Faulk:

H. 488. To provide for the construction of rural mailbox turnouts on Alabama highways.

Transportation.

By Mr. Fite:

H. 489. To authorize the insuring of publicly-owned properties in mutual insurance companies; to authorize the purchase of casualty insurance contracts issued by mutual insurance companies by various governing bodies; and to repeal all laws in conflict therewith.

Judiciary.

By Mr. Jenkins:

H. 490. Relating to counties having a population of not less than twenty two thousand (22,000) nor more than twenty three thousand (23,000) inhabitants according to the 1950 census of the United States; Providing for the disbursement of gasoline tax moneys received from the State on a county-wide basis under the direction of the county governing body and the supervision of the county engineer for the establishing, constructing, repairing and maintenance of county roads and bridges; powers and duties of the county engineer; designating the Judge of Probate, Chairman of Court of County Commissioners, as Purchasing Agent for the county; regulating the purchase of supplies, materials, equipment and contractual services in such county; placing County Commissioners on salary.

Local Legislation No. 1.

By Messrs. Boyd and Bassett:

H. 491. (With Notice and Proof). Relating to Pike County; abolishing the fine and forfeiture fund, providing for a transfer of the money held in such fund to the general fund of the county, providing that all revenues accruing to the fine and forfeiture fund of said county as

provided by law shall hereafter be paid into the general fund of the county and that all claims which are registered against or payable out of the fine and forfeiture fund, as prescribed by law, shall be paid out of the general fund of the county, and repealing an Act entitled "An act to regulate the fine and forfeiture fund of Pike County, Alabama, and provide for the registration and payment of claims against said fund." (Act No. 343, Approved September 17, 1919, Local Acts, 1919, page 138).

Local Legislation No. 1.

STATE OF ALABAMA,
COUNTY OF PIKE.

Notice and Proof H. 491:

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Pike County; abolishing the fine and forfeiture fund, providing for a transfer of the money held in such fund to the general fund of the county providing that all revenues accruing to the fine and forfeiture fund of said county as provided by law shall hereafter be paid into the general fund of the county and that all claims which are registered against or payable out of the fine and forfeiture fund, as prescribed by law, shall be paid out of the general fund of the county, and repealing an Act entitled "An Act to regulate the fine and forfeiture fund of Pike County, Alabama, and provide for the registration and payment of claims against said fund." (Act No. 343. Approved September 17, 1919, Local Acts 1919, page 138).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. All revenues accruing to the fine and forefiture fund of Pike County as provided by law shall hereafter be paid into the general fund of the county; and the fine and forfeiture fund is hereby abolished. The money held in the fine and forfeiture fund on the effective date of this Act shall also be paid into the general fund.

Section 2. All claims which are registered against or payable out of the fine and forfeiture fund, as prescribed by law, shall be paid out of the general fund of the county.

Section 3. The Act entitled "To regulate the fine and forfeiture fund of Pike County, Alabama, and provide for the registration and payment of claims against said fund." (Act No. 343, Approved September 17, 1919, Local Acts, 1919, page 138) is hereby repealed.

Section 4. All laws or parts of laws which conflict with the provisions of this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

5-23-lawk 4TCh

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF PIKE.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Glenn Jones, who, being by

me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Troy Messenger, a newspaper of general circulation published in Pike County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 23rd, May 30th, June 6th, and June 13th, all in the year 1955.

GLENN JONES

Sworn to and subscribed before me June 17th, 1955.

CHRISTINE C. SMYTH,
Notary Public.

By Messrs. Boyd and Bassett:

H. 492 (With Notice and Proof). Relating to Pike County; proposing an amendment to the Constitution of Alabama to provide that the Legislature may from time to time, by general or local laws, fix, alter and regulate the costs and charges of courts in Pike County and the method of disbursement thereof.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

Notice and Proof H. 492:

STATE OF ALABAMA,
COUNTY OF PIKE.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Pike County; proposing an amendment to the Constitution of Alabama to provide that the Legislature may from time to time, by general or local laws, fix, alter and regulate the costs and charges of courts in Pike County and the method of disbursement thereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama is proposed, to be valid as a part of Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor, to-wit:

"The Legislature may from time to time, by general or local laws, fix, alter and regulate the costs and charges of courts in Pike County, and the method of disbursement thereof."

Section 2. An election upon the proposed amendment is ordered to be held at the general election next succeeding this session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the

State. A copy of the notice shall be posted at each courthouse and post office in every county in which no newspaper is published.

5-23-1Taw 4W

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF PIKE.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Glenn Jones, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Troy Messenger, a newspaper of general circulation published in Pike County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 23rd, May 30th, June 6th, and June 13th, all in the year 1955.

GLENN JONES

Sworn to and subscribed before me June 17th, 1955.

CHRISTINE C. SMYTH,
Notary Public.

By Messrs. Goodwyn, Dawkins, Nolen and Hall:

H. 493. To amend Section 1, of Act No. 311, approved July 31, 1951, as amended by Act No. 14, approved February 15, 1955, which fixes the compensation of the Sheriff in counties of more than 96,000 population and less than 140,000 population, according to the last Federal census or any subsequent Federal census and provides for help and assistance and other expenses necessary to the conduct of the office of Sheriff, by providing for the appointment of the Chief Deputy independently from the Merit Board roster in those counties under this Act having a Merit System.

Local Legislation No. 1.

By Messrs. Adams and Vacca:

H. 494. To amend Section 73 (2377) of Title 37 of the Code of 1940 relating to compensation of commissioners.

Local Government.

By Messrs. Adams and Vacca:

H. 495. To amend further Section 105 of Title 37 of the Code of 1940 relating to compensation of commissioners.

Local Government.

By Messrs. Adams and Vacca:

H. 496. To amend Section 3 of Act No. 775, S. 274, approved September 11, 1951 (Acts of 1950-51, Vol. II, p. 1359), an Act providing for the creation and organization of a Board of Water and Sewer Commissioners by any city in the State for the purpose of owning, operating and financing a water system or sewer system or both such systems.

Local Government.

By Messrs. Shumate and Selman:

H. 497. To raise revenue for payment of a bonus to veterans and, thereafter, for conservation; levying a tax of three percent of the rent for every occupancy of a room or rooms in a hotel, apartment hotel, inn, lodging house, tourist camp, tourist court, tourist home, motor court, or motel; providing for the collection and enforcement of the tax, and the disposition of the proceeds thereof.

Ways and Means.

By Messrs. Shumate and Selman:

H. 498. To amend Section 625 of Title 7, Code of Alabama (1940), which relates to the exemption of homesteads from levy and sale under execution or other process for the collection of debts.

Judiciary.

By Messrs. Selman and Shumate:

H. 499. To amend Sections 652, 653, 654, and 656, Article 2, Chapter 13, Title 7, Code of Alabama (1940), all of which relate to the claim and contest of homestead exemptions.

Judiciary.

By Mr. Dement:

H. 500. To authorize the issuance of not exceeding \$300,000,000 principal amount of general obligation bonds of the State of Alabama additionally secured by a pledge of additional sales and use taxes, the proceeds from which shall be used solely for increasing teachers' salaries and other educational purposes.

Ways and Means.

By Mr. Dement:

H. 501. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding three hundred million dollars (\$300,000,000) principal amount of general obligation bonds of the State of Alabama, secured by pledge of the proceeds of an additional sales and use tax, the proceeds of which bonds shall be used only for increasing teachers' salaries, and other educational purposes.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Mr. Dement:

H. 502. To amend further Section 2 of Title 36, Code of Alabama (1940), which makes it unlawful to drive while intoxicated and prescribes the punishment therefor.

Judiciary.

By Mr. Dement:

H. 503. To raise revenue by levying additional sales and use taxes for the purpose of providing for the prompt and faithful payment of bonds issued pursuant to an amendment to the Constitution of Alabama of 1901, proposed by an act of the Legislature enacted during the Regular Session of 1955, authorizing the issuance of bonds in the amount of three hundred million dollars (\$300,000,000) the proceeds to be used for increasing teachers' salaries and for other educational purposes.

Ways and Means.

By Mr. Hawkins:

H. 504. To amend title 51, Section 122, as Amended, of the Code of Alabama 1940.

Ways and Means.

BILLS ON THIRD READING

MOTION ADOPTED

The motion of Mr. Dawkins to suspend the rules in order to take up for immediate consideration the third reading of the bills, S. 114, S. 115 and H. 455, was adopted.

And the bill:

S. 114. To make it a felony for any person other than a wholesaler, distributor, or dealer, or other person authorized by the Alcoholic Beverage Control Board, to have in his possession any unattached Alabama revenue stamps, crowns, or lids used for the purpose of identifying alcoholic beverages sold or distributed under the provisions of Title 29 of the Code of Alabama (1940).

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Jenkins	Nice
Adams	Edwards (Jefferson)	Johnson (Elmore)	Nolen
Albea	Faulk	Johnson (Tallapoosa)	Oakley
Ashworth	Ferrell	Kaul	Oden
Bassett	Franklin	Killough	Payne
Boyd	Gilchrist	Kirkham	Perry
Bradford	Gist	Lackey	Pruitt
Brannan	Goodwyn	Law	Ramey
Branyon	Gregory	Lee (Barbour)	Reynolds
Brassell	Grouby	Lee (Lawrence)	Selman
Brewer	Hain	Locke (Choctaw)	Shumate
Broadfoot	Hall	Locke (Perry)	Simon
Brooks	Haltom	Love	Speaks
Brown (Lamar)	Hanby	McKay	Steagall
Brown (Lee)	Hardy	McLendon	Stokes
Burkhalter	Hare	McNider	Summerlin
Cornett	Harrison	Martin	Taylor
Cox	Harvey	Mathews	Thomas
Crook	Hawkins	Mathison	Tyson
Dawkins	Hodges	Molette	Vacca
deGraffenried	Holliman	Money	Ward
Dement	Huddleston	Murphy	Windle
DeSear	Hunt	Nettles	Wood
Dickson			

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And the bill:

S. 115 (with substitute). To make it a felony for any person other than a carrier operating under a permit issued by the Interstate Commerce Commission or the Alabama Public Service Commission, or persons, firms, corporations, or associations of persons designated by the Alabama Alcoholic Beverage Control Board, to transport certain alcoholic beverages which do not have affixed thereto stamps, crowns, or lids denoting the payment of Alabama taxes on such beverages.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

Ways and Means Committee.

Substitute for S.B. 115:

A BILL
TO BE ENTITLED
AN ACT

To make it a felony for any person other than a carrier operating under a permit issued by the Interstate Commerce Commission or the

Alabama Public Service Commission, or persons, firms, corporations, or associations of persons designated by the Alabama Alcoholic Beverage Control Board, to transport alcoholic beverages which do not have affixed thereto stamps, crowns, or lids denoting the payment of Alabama taxes on such beverages.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any person other than a carrier operating under a permit issued by the Interstate Commerce Commission or the Alabama Public Service Commission, or persons, firms, corporations, or associations of persons designated by the Alabama Alcoholic Beverage Control Board, who possesses or transports five gallons or more of alcoholic beverages within this State which do not have affixed thereto stamps, crowns, or lids denoting the payment of Alabama taxes thereon, is guilty of a felony, and upon conviction shall be fined not less than two thousand nor more than five thousand dollars, and imprisoned in the penitentiary for not less than two nor more than ten years; provided however; that no person shall be deemed guilty of a felony or misdemeanor, if such alcoholic beverages have Federal Revenue stamps thereon and have affixed thereto stamps, crowns, or lids denoting the payment of Alabama taxes thereon.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 73; Nays 21.

Yeas:

Mr. Speaker	Dickson	Huddleston	Murphy
Adams	Edwards (Escambia)	Hunt	Nolen
Ashworth	Edwards (Jefferson)	Johnson (Elmore)	Oden
Bassett	Faulk	Johnson (Tallapoosa)	Payne
Boyd	Ferrell	Kaul	Perry
Bradford	Franklin	Kendall	Ramey
Brannan	Gilchrist	Killough	Reynolds
Branyon	Gist	Lackey	Simon
Brassell	Goodwyn	Law	Speaks
Broadfoot	Gregory	Locke (Choctaw)	Steagall
Brooks	Grouby	McClendon	Stembridge
Brown (Lamar)	Hain	McKay	Stokes
Burkhalter	Hall	McLendon	Summerlin
Callahan	Hardy	McNider	Taylor
Cornett	Hare	Martin	Thomas
Cox	Hawkins	Mathews	Vacca
Crook	Hodges	Mathison	Ward
Dawkins	Holliman	Money	Wood
Dement			

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Nays:

Messrs	deGraffenried	Harvey	Love
Albea	Haltom	Jenkins	Nettles
Brewer	Hanby	Kirkham	Nice
Brown (Lee)	Harrison	Lee (Barbour)	Oakley

Pirkle	Richardson	Tyson	Windle
Pruitt	Shumate		

—21

And said bill, S. 115, as thus amended, was read a third time at length and passed.

Yeas 54; Nays 34.

Yeas:

Mr. Speaker	Faulk	Kendall	Oden
Ashworth	Ferrell	Killough	Payne
Bassett	Franklin	Lackey	Perry
Bradford	Goodwyn	Law	Pirkle
Branyon	Grouby	McClendon	Ramey
Brown (Lamar)	Hain	McLendon	Reynolds
Brown (Lee)	Hall	McNider	Simon
Burkhalter	Hardy	Martin	Steagall
Cox	Hare	Mathews	Stembridge
Dawkins	Hawkins	Mathison	Summerlin
Dement	Hodges	Molette	Taylor
Dickson	Huddleston	Murphy	Vacca
Edwards (Escambia)	Johnson (Elmore)	Nolen	Wood
Edwards (Jefferson)	Johnson (Tallapoosa)		

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Nays:

Messrs.	DeSear	Kirkham	Pruitt
Adams	Gilchrist	Lee (Barbour)	Richardson
Albea	Gist	Locke (Choctaw)	Solomon
Boyd	Haltom	Locke (Perry)	Speaks
Brewer	Hanby	Love	Stokes
Broadfoot	Harrison	McKay	Thomas
Callahan	Harvey	Money	Tyson
Cornett	Holliman	Nettles	Windle
deGraffenried	Jenkins	Oakley	

—34

And the bill:

H. 455. To authorize and empower the Alcoholic Beverage Control Board to lease trucks, road tractors and trailers, and similar equipment when needed for the transportation of alcoholic beverages purchased, stored, or sold by it.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 14.

Yeas:

Mr. Speaker	Brewer	Dement	Goodwyn
Adams	Broadfoot	Dickson	Gregory
Albea	Brown (Lamar)	Edwards (Escambia)	Grouby
Ashworth	Brown (Lee)	Edwards (Jefferson)	Hall
Bassett	Burkhalter	Faulk	Haltom
Boyd	Cornett	Ferrell	Hare
Bradford	Cox	Franklin	Harrison
Branyon	Dawkins	Gilchrist	Harvey
Brassell	deGraffenried	Gist	Hawkins

Hodges	Lee (Lawrence)	Murphy	Speaks
Huddleston	Locke (Choctaw)	Nolen	Steagall
Hunt	Love	Oden	Stembridge
Jenkins	McClendon	Payne	Stokes
Johnson (Elmore)	McNider	Pirkle	Summerlin
Johnson (Tallapoosa)	Martin	Ramey	Thomas
Kelly	Mathews	Reynolds	Tyson
Kendall	Mathison	Selman	Vacca
Killough	Molette	Shumate	Ward
Lackey	Money	Simon	Wood
Law			

—77

Nays:

Messrs.	Holliman	Locke (Perry)	Richardson
DeSear	Kaul	McKay	Solomon
Hain	Kirkham	McLendon	Windle
Hanby	Lee (Barbour)	Perry	

—14

H. 413 POSTPONED

On motion of Mr. Johnson (Elmore), consideration of the bill, H. 413, was postponed until the sixteenth legislative day.

And the bill:

H. 426. An Act to authorize in any county in the State of Alabama having a population of more than 500,000 according to the last or any subsequent Federal census, the creation of a public corporation which may be vested with all or any of the following powers: (1) to establish, maintain and operate one or more hospital, clinics, centers and other facilities for the prevention, treatment or diagnosis of tuberculosis; (2) to furnish medicines, supplies, nurses, technicians, physicians and other personnel and all other items appropriate for the maintenance and operation of any such hospital, clinic, center or facility; (3) to lease, construct, own, or otherwise acquire lands, buildings, hospitals, clinics, centers, or other facilities and equipment appropriate for the prevention, treatment or diagnosis of tuberculosis; (4) to disseminate knowledge concerning the cause, prevention and treatment of tuberculosis; (5) to do all things and acts having as their object the relief of those afflicted with tuberculosis, and the control and prevention of that disease throughout the county; to provide for the method of forming said corporation; to provide that said corporation shall constitute a public corporation; to provide for the determination of which of the foregoing powers said corporation shall have to provide for the change of the corporate name and amendments of the corporate certificate or charter; to provide for the management of said corporation by a board of directors, the means of the appointment of the directors, their duties and authority and their term of office; to empower any such corporation to borrow money and issue bonds, notes or other evidence of indebtedness and execute mortgages, deeds of trust or other conveyances and instruments as security for money so borrowed; to provide for such corporation to accept property by gift, bequest or devise, and to accept by gift, grant, loan or otherwise, any funds from The United States Government, or any agency thereof, for the furtherance of any one or more of its corporate purposes, upon such terms and conditions as may be prescribed by The United States Government, or any agency thereof; to otherwise define the powers and duties of the corporation; and to accord any such corporation exemption from State, county or city taxes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Gilchrist	Killough	Oden
Adams	Gist	Kirkham	Payne
Albea	Goodwyn	Lackey	Perry
Ashworth	Gregory	Law	Pirkle
Bassett	Grouby	Lee (Barbour)	Pruitt
Boyd	Hain	Lee (Lawrence)	Ramey
Bradford	Hall	Locke (Choctaw)	Reynolds
Branyon	Haltom	Locke (Perry)	Richardson
Brewer	Hanby	Love	Roberts
Broadfoot	Hardy	McClendon	Selman
Brown (Lamar)	Hare	McKay	Shumate
Burkhalter	Harrison	McLendon	Simon
Callahan	Harvey	McNider	Solomon
Cornett	Hawkins	Martin	Speaks
Cox	Hodges	Mathews	Steagall
deGraffenried	Holliman	Mathison	Stembridge
Dement	Huddleston	Meeks	Stokes
DeSear	Hunt	Molette	Summerlin
Dickson	Jenkins	Money	Taylor
Edwards (Escambia)	Johnson (Elmore)	Murphy	Thomas
Edwards (Jefferson)	Johnson (Tallapoosa)	Nettles	Vacca
Faulk	Kaul	Nice	Ward
Ferrell	Kelly	Nolen	Wood
Franklin	Kendall	Oakley	

—95

And the bill:

H. 421. To amend Sections 2 and 3 of Local Act No. 162 (1943) of the Legislature of Alabama, approved June 17, 1943, entitled 'An Act to fix the salary of the Judge of Probate of Cherokee County, Alabama, the Tax Collector of Cherokee County, the Tax Assessor of Cherokee County, the Clerk of the Court of Cherokee County, the Register in Chancery of Cherokee County, the Deputy Solicitor of Cherokee County, the Sheriff of Cherokee County; to provide for his deputies and to provide for clerical assistance and other expenses of said officers of Probate Judge and Sheriff; to require each of said officers to collect all the fees, compensation and allowances heretofore collected by said officers and which may hereafter be collected by said officers and cover same into the County Treasury on or before the fifth day of each month and to provide for the payment of the salary of clerical assistance and office expense by the Treasury of the County.' "

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Brewer	DeSear	Goodwyn
Adams	Broadfoot	Dickson	Gregory
Albea	Brown (Lamar)	Edwards (Escambia)	Grouby
Ashworth	Burkhalter	Edwards (Jefferson)	Hain
Bassett	Callahan	Faulk	Hall
Boyd	Cornett	Ferrell	Haltom
Bradford	Cox	Franklin	Hanby
Branyon	deGraffenried	Gilchrist	Hardy
Brassell	Dement	Gist	Hare

Harrison	Lackey	Molette	Shumate
Harvey	Law	Money	Simon
Hawkins	Lee (Barbour)	Murphy	Solomon
Hodges	Lee (Lawrence)	Nettles	Speaks
Holliman	Locke (Choctaw)	Nolen	Steagall
Huddleston	Love	Oakley	Stembridge
Hunt	McClendon	Oden	Stokes
Jenkins	McKay	Payne	Summerlin
Johnson (Elmore)	McNider	Pirkle	Taylor
Johnson (Tallapoosa)	McLendon	Pruitt	Thomas
Kelly	Mathews	Ramey	Vacca
Kendall	Martin	Reynolds	Ward
Killough	Mathison	Richardson	Windle
Kirkham	Meeks	Roberts	Wood

—92

And the bill:

H. 428. To extend, alter, and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Gilchrist	Kirkham	Oden
Adams	Gist	Lackey	Payne
Albea	Goodwyn	Law	Pirkle
Ashworth	Gregory	Lee (Barbour)	Pruitt
Bassett	Grouby	Lee (Lawrence)	Ramey
Boyd	Hain	Locke (Choctaw)	Reynolds
Bradford	Hall	Locke (Perry)	Richardson
Branyon	Haltom	Love	Roberts
Brassell	Hanby	McClendon	Selman
Brewer	Hardy	McKay	Shumate
Broadfoot	Harrison	McLendon	Simon
Brown (Lamar)	Harvey	McNider	Solomon
Burkhalter	Hawkins	Martin	Speaks
Cornett	Hodges	Mathews	Steagall
Cox	Holliman	Mathison	Stembridge
deGraffenried	Huddleston	Meeks	Stokes
Dement	Hunt	Molette	Summerlin
DeSear	Jenkins	Money	Taylor
Dickson	Johnson (Elmore)	Murphy	Thomas
Edwards (Escambia)	Johnson (Tallapoosa)	Nettles	Vacca
Edwards (Jefferson)	Kelly	Nice	Ward
Faulk	Kendall	Nolen	Windle
Ferrell	Killough	Oakley	Wood
Franklin			

—93

And the bill:

H. 429. To permit any bank in Lawrence County to establish one or more branches, or additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business, subject to the approval of the State Superintendent of Banks.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Franklin	Kirkham	Payne
Adams	Gilchrist	Lackey	Perry
Albea	Gist	Law	Pirkle
Ashworth	Goodwyn	Lee (Barbour)	Pruitt
Bassett	Gregory	Lee (Lawrence)	Ramey
Boyd	Grouby	Locke (Choctaw)	Reynolds
Bradford	Hain	Locke (Perry)	Richardson
Brassell	Hall	Love	Roberts
Brewer	Haltom	McClendon	Selman
Broadfoot	Hanby	McKay	Shumate
Brooks	Hardy	McLendon	Simon
Brown (Lamar)	Harrison	McNider	Solomon
Burkhalter	Harvey	Martin	Speaks
Cornett	Hawkins	Mathison	Steagall
Cox	Hodges	Meeks	Stembridge
Crook	Holliman	Molette	Stokes
deGraffenried	Huddleston	Money	Summerlin
Dement	Hunt	Murphy	Taylor
DeSear	Jenkins	Nettles	Thomas
Dickson	Johnson (Tallapoosa)	Nice	Vacca
Edwards (Escambia)	Kelly	Nolen	Ward
Edwards (Jefferson)	Kendall	Oakley	Windle
Ferrell	Killough	Oden	Wood

—92

And the bill:

H. 439. To amend further Section 1 of Act No. 14, H. 119, approved June 19, 1947, entitled, "An Act to authorize the sheriff of Russell County to appoint an additional deputy sheriff, to fix the salary of the deputy, and to require him to give bond," (Local Acts of the 1947 Regular Session, p. 14).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Dement	Hawkins	McClendon
Adams	DeSear	Hodges	McKay
Albea	Dickson	Holliman	McLendon
Ashworth	Edwards (Escambia)	Huddleston	McNider
Bassett	Edwards (Jefferson)	Hunt	Martin
Boyd	Faulk	Jenkins	Mathison
Bradford	Ferrell	Johnson (Elmore)	Meeks
Brannan	Franklin	Johnson (Tallapoosa)	Molette
Branyon	Gilchrist	Kelly	Money
Brassell	Gist	Kendall	Murphy
Brewer	Goodwyn	Killough	Nettles
Broadfoot	Gregory	Kirkham	Nice
Brooks	Grouby	Lackey	Nolen
Brown (Lamar)	Hain	Law	Oakley
Burkhalter	Hall	Lee (Barbour)	Oden
Cornett	Haltom	Lee (Lawrence)	Payne
Cox	Hanby	Locke (Choctaw)	Perry
Crook	Hardy	Locke (Perry)	Pirkle
deGraffenried	Harvey	Love	Pruitt

Ramey	Shumate	Stembridge	Vacca
Reynolds	Simon	Stokes	Ward
Richardson	Solomon	Summerlin	Windle
Roberts	Speaks	Taylor	Wood
Selman	Steagall	Thomas	

—95

And the bill:

H. 438. To amend Section 1 of Act No. 47, H. 121, approved June 3, 1953, entitled, "An Act relating to Russell County; providing for the appointment of an additional deputy sheriff, prescribing his duties, and fixing his compensation," (Acts of the 1953 Regular Session, Vol. I, page 59).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kendall	Oden
Adams	Faulk	Killough	Payne
Albea	Ferrell	Kirkham	Pirkle
Ashworth	Franklin	Lackey	Pruitt
Bassett	Gilchrist	Law	Ramey
Boyd	Gist	Lee (Barbour)	Reynolds
Bradford	Goodwyn	Lee (Lawrence)	Richardson
Brannan	Gregory	Locke (Choctaw)	Roberts
Branyon	Grouby	Locke (Perry)	Selman
Brassell	Hain	Love	Shumate
Brewer	Hall	McClendon	Simon
Broadfoot	Haltom	McKay	Solomon
Brooks	Hanby	McLendon	Speaks
Brown (Lamar)	Hardy	McNider	Steagall
Brown (Lee)	Harvey	Mathison	Stembridge
Burkhalter	Hodges	Meeks	Stokes
Cornett	Holliman	Molette	Summerlin
Cox	Huddleston	Money	Taylor
Crook	Hunt	Murphy	Thomas
deGraffenried	Jenkins	Nettles	Vacca
Dement	Johnson (Elmore)	Nice	Ward
DeSear	Johnson (Tallapoosa)	Nolen	Windle
Dickson	Kelly	Oakley	Wood
Edwards (Escambia)			

—93

And the bill:

H. 440. To amend further Section 2 of Act No. 78, H. 382, approved May 28, 1943, entitled, "An Act to authorize and empower the sheriff of Russell County, Alabama, to appoint, in addition to the deputy or deputies as now provided by law, a special or general deputy, fix his tenure of office, prescribe his duties, fix his compensation and to authorize and require the court of county commissioners to pay the same by warrant drawn on the treasurer and paid out of the general funds of said county, and to require said deputy to give bond in the sum of \$1,000.00, payable to said sheriff, with conditions as required by law," (Local Acts of the 1943 Regular Session, p. 43).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Johnson (Tallapoosa)	Payne
Adams	Faulk	Kelly	Pirkle
Albea	Ferrell	Killough	Pruitt
Ashworth	Franklin	Kirkham	Ramey
Bassett	Gilchrist	Lackey	Reynolds
Boyd	Gist	Law	Richardson
Bradford	Goodwyn	Lee (Barbour)	Roberts
Brannan	Gregory	Locke (Choctaw)	Selman
Branyon	Hain	Locke (Perry)	Shumate
Brassell	Hall	Love	Simon
Brewer	Haltom	McClendon	Solomon
Brooks	Hanby	McKay	Speaks
Brown (Lamar)	Hardy	McLendon	Steagall
Brown (Lee)	Hare	McNider	Stembridge
Burkhalter	Harrison	Mathison	Stokes
Cornett	Harvey	Molette	Summerlin
Cox	Hawkins	Money	Taylor
Crook	Hodges	Murphy	Thomas
deGräffenried	Holliman	Nettles	Vacca
Dement	Huddleston	Nolen	Ward
DeSear	Hunt	Oakley	Windle
Dickson	Jenkins	Oden	Wood
Edwards (Escambia)	Johnson (Elmore)		

—90

And the bill:

H. 441. To validate warrants numbered 3223, 3224, 3225, 4127, 4128, 4129, 4206, 4207, 4208, 4435, 4436 and 4437.

Said warrants being issued by the County Commission for Russell County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Messrs.	Dement	Harrison	Locke (Perry)
Adams	DeSear	Harvey	Love
Albea	Dickson	Hawkins	McClendon
Ashworth	Edwards (Escambia)	Hodges	McKay
Bassett	Edwards (Jefferson)	Holliman	McLendon
Boyd	Faulk	Huddleston	McNider
Bradford	Ferrell	Hunt	Mathison
Brannan	Franklin	Jenkins	Meeks
Branyon	Gilchrist	Johnson (Elmore)	Molette
Brassell	Gist	Johnson (Tallapoosa)	Murphy
Brewer	Goodwyn	Kelly	Nettles
Broadfoot	Gregory	Kendall	Nice
Brooks	Grouby	Killough	Nolen
Brown (Lamar)	Hain	Kirkham	Oakley
Brown (Lee)	Hall	Lackey	Oden
Burkhalter	Haltom	Law	Payne
Cornett	Hanby	Lee (Barbour)	Pirkle
Crook	Hardy	Lee (Lawrence)	Pruitt
deGraffenried	Hare	Locke (Choctaw)	Ramey

Reynolds	Simon	Stokes	Vacca
Richardson	Solomon	Summerlin	Ward
Roberts	Speaks	Taylor	Windle
Selman	Steagall	Thomas	Wood
Shumate	Stembridge		

—93

MOTION ADOPTED

The motion of Mr. Fite to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 375, was adopted.

And the bill:

H. 375. Authorizing any gas district now or hereafter organized in this state under the provisions of Act No. 762, adopted at the 1951 Regular Session of the Legislature of Alabama, to promulgate rules and regulations governing and relating to the installation, connection, maintenance and servicing of gas fixtures, pipes, appliances and equipment with respect to properties served by it and requiring that any person so installing, connecting, maintaining or servicing any such fixtures, pipes, appliances and equipment be licensed by it, specifying the manner of adoption of such rules and regulations, and providing that no such rules or regulations shall supersede any applicable rules or regulations established by any municipality in this state.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Kaul	Oakley
Adams	Edwards (Jefferson)	Kelly	Oden
Albea	Faulk	Kendall	Payne
Ashworth	Ferrell	Killough	Perry
Bassett	Franklin	Kirkham	Pirkle
Boyd	Gilchrist	Lackey	Pruitt
Bradford	Gist	Law	Ramey
Brannan	Goodwyn	Lee (Barbour)	Reynolds
Branyon	Gregory	Lee (Lawrence)	Richardson
Brassell	Grouby	Locke (Choctaw)	Roberts
Brewer	Hain	Locke (Perry)	Selman
Broadfoot	Hall	Love	Simon
Brooks	Haltom	McClendon	Solomon
Brown (Lamar)	Hanby	McKay	Speaks
Brown (Lee)	Hardy	McLendon	Steagall
Burkhalter	Hare	McNider	Stembridge
Callahan	Harrison	Martin	Stokes
Cornett	Harvey	Mathison	Summerlin
Cox	Hawkins	Meeks	Taylor
Crook	Hodges	Molette	Thomas
Dawkins	Holliman	Money	Vacca
deGraffenried	Huddleston	Murphy	Ward
Dement	Hunt	Nettles	Windle
DeSear	Jenkins	Nice	Wood
Dickson	Johnson (Elmore)	Nolen	

—99

And the bill:

H. 423. Proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Conecuh County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Messrs.	Faulk	Kelly	Oakley
Adams	Ferrell	Kendall	Oden
Albea	Franklin	Killough	Payne
Ashworth	Gilchrist	Kirkham	Pirkle
Bassett	Gist	Lackey	Pruitt
Boyd	Goodwyn	Law	Ramey
Bradford	Gregory	Lee (Barbour)	Reynolds
Brannan	Grouby	Lee (Lawrence)	Richardson
Branyon	Hain	Locke (Choctaw)	Roberts
Brassell	Hall	Locke (Perry)	Selman
Brewer	Haltom	Love	Shumate
Broadfoot	Hanby	McClendon	Simon
Brooks	Hardy	McKay	Solomon
Brown (Lamar)	Hare	McLendon	Speaks
Brown (Lee)	Harvey	McNider	Steagall
Burkhalter	Hawkins	Martin	Stokes
Cornett	Hodges	Mathison	Summerlin
Cox	Holliman	Molette	Taylor
Crook	Huddleston	Money	Tyson
deGraffenried	Hunt	Murphy	Vacca
Dement	Jenkins	Nettles	Ward
DeSear	Johnson (Elmore)	Nice	Windle
Dickson	Johnson (Tallapoosa)	Nolen	Wood
Edwards (Escambia)			
Edwards (Jefferson)			

—93

And the bill:

S. 143. Relating to Macon County; to prohibit the taking of fish with hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or or any other kind of commercial fishing gear, except setlines, trotlines, and snaglines, from the public waters in such county.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Messrs.	Brown (Lee)	Ferrell	Harvey
Adams	Burkhalter	Franklin	Hawkins
Albea	Callahan	Gilchrist	Hodges
Ashworth	Cornett	Gist	Holliman
Bassett	Cox	Goodwyn	Huddleston
Boyd	Crook	Gregory	Hunt
Bradford	deGraffenried	Grouby	Jenkins
Brannan	Dement	Hain	Johnson (Elmore)
Branyon	DeSear	Hall	Kelly
Brassell	Dickson	Haltom	Kendall
Brewer	Edwards (Escambia)	Hanby	Killough
Broadfoot	Edwards (Jefferson)	Hardy	Kirkham
Brooks	Faulk	Hare	Lackey

Law	Mathison	Pirkle	Steagall
Lee (Barbour)	Meeks	Pruitt	Stokes
Lee (Lawrence)	Molette	Ramey	Summerlin
Locke (Perry)	Money	Reynolds	Taylor
Love	Murphy	Richardson	Thomas
McClendon	Nettles	Roberts	Tyson
McKay	Nolen	Selman	Vacca
McLendon	Oakley	Shumate	Ward
McNider	Oden	Solomon	Windle
Martin	Payne	Speaks	Wood

—91

RECONSIDERATION OF S. 115

The motion of Mr. Ashworth to reconsider the vote by which the bill, S. 115, as amended, was passed, was adopted.

And on motion of Mr. Ashworth the Clerk of the House was directed to request the Senate to return to the House the bill, S. 115, for further consideration.

RECESS

On motion of Mr. Locke (Choctaw) the House recessed until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:00 o'clock P.M. having arrived, the House reconvened.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 270. Relating to Mobile County: To regulate further the office of the judge of probate of said county; authorizing and empowering the judge of probate to create and establish divisions for the performance of the functions and duties of his office, to assign function and duties to such divisions, and to delegate certain powers to the chiefs of such divisions.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 177. To make an additional appropriation to the Agricultural Center Board for the fiscal year ending September 30, 1955, from funds in the State Treasury not otherwise appropriated.

Also:

H. 113. To regulate further the payment of the compensation of clerks of courts of county commissioners, boards of revenue, or like county governing bodies.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Lamberth and Roberts:

S. 124. To make it a felony for any person, firm, association, or corporation to carry, bring, or introduce into this State on a motor vehicle alcoholic beverages bearing federal revenue stamps, in quantities of six gallons or more, unless the conveyance is sealed at the point of origin; and prescribing the punishment therefor.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 124.

Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Vann:

S.J.R. 27. WHEREAS textile tariff concessions granted by the United States at the Geneva conference of the General Agreement on Tariffs and Trade will result in reductions in excess of forty-eight per cent on cotton fabrics containing yarn numbers ranging from 30s to 50s, which, expressed in terms of price, amounts to one and one-half cents per yard, an amount in excess of the profit made by the cotton industry in Alabama; and

WHEREAS eighty per cent of the cotton industry in Alabama is engaged in the production of fabrics affected by such concessions, a situation which threatens immediate and severe injury to the cotton textile industry of Alabama, and hence imperils this state with unemployment, deterioration of the textile business, and ensuing hardships for many citizens; and

WHEREAS the Geneva tariff cuts were negotiated for the direct benefit of Japan, whose shipments of textile goods to the United States

are already increasing and are currently impeding the progress of Alabama's industry by disrupting markets and prices; and

WHEREAS the decision of the Geneva conference repudiated the will of Alabama citizens and the wishes of many members of the Congress, largely nullifying successful efforts to bring about the enactment of tariff legislation equitable to the textile industry; and

WHEREAS the action at Geneva was signed, with the participation of United States delegates, in spite of public assurances by President Eisenhower that no American industry's position in domestic and world trade would be undermined by severe tariff reductions; and

WHEREAS as a consequence, the entire State of Alabama will confront an economic crisis, both in industry and cotton agriculture, of the first order if the Geneva agreement is enforced, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALABAMA, both Houses thereof concurring, that:

1. The action taken at the Geneva conference of G.A.T.T. in imposing drastic textile tariff reductions on Japan-made goods is hereby condemned as a dangerous, short-sighted sellout of a basic Alabama industry.

2. Alabama members of the Congress are requested to take immediate action to delay passage of current trade legislation in an effort to rectify the gross inequities committed at Geneva.

3. The Legislature of Alabama, renewing its request of January 28, 1955, respectfully urges the Congress to enact legislation providing for a system of quotas on textile imports similar to the system of quotas on immigration, thereby safeguarding textile employees in Alabama and the United States against further continuing loss in income or employment resulting from cheap immigrant labor or imported textile goods made by cheap-wage foreign labor.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Roberts the rules were suspended and the House concurred in and adopted the S.J.R. 27 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Flowers, Yarbrough (Randolph), Little and Cantrell:

S.J.R. 26. WHEREAS, the federal government has announced through the United States Department of Engineers that it contemplates erecting several locks and dams on the Chattahoochee River for the purpose of improving the navigation on said river, and

WHEREAS, the construction of these dams will of necessity create large bodies of water, and will raise the level of the river much above its normal means, and

WHEREAS, the boundary line between the state of Alabama and the state of Georgia at the present time is the average and mean stage of the water on the west bank of said river, and

WHEREAS, the construction of said locks and dams will afford an opportunity to construct ports, wharves, piers and warehouses on the Alabama side of the river, and

WHEREAS, under the boundary line as it now exists between Alabama and Georgia any port, wharf, pier or warehouse constructed on the Alabama side will in all probability be situated on lands partly belonging to the state of Georgia, and

WHEREAS, the state of Alabama is desirous of seeing if a more equitable boundary line cannot be worked out between the state of Alabama and the state of Georgia,

NOW, THEREFORE, BE IT RESOLVED by the Senate of Alabama, the House of Representatives concurring, that a committee composed of the Lieutenant Governor, the Attorney General, and the legal adviser to the Governor, be authorized to confer with a similar committee appointed by the state of Georgia, to the end that a more equitable boundary line may be worked out between the two states.

BE IT FURTHER RESOLVED that the state of Alabama, acting by and through the Governor, request the Governor of Georgia or the legislature of said state, to appoint a similar committee to the one hereby created to confer on this matter.

BE IT FURTHER RESOLVED that this committee report its findings back to the legislature as soon as possible.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The S.J.R. 26 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for the return thereto of the Bill:

S.B. 115. To make it a felony for any person other than a carrier operating under a permit issued by the Interstate Commerce Commission or the Alabama Public Service Commission, or persons, firms, corporations, or associations of persons designated by the Alabama Alcoholic Beverage Control Board, to transport certain alcoholic beverages which do not have affixed thereto stamps, crowns, or lids denoting the payment of Alabama taxes on such beverages.

And said Bill is herewith returned to the House.

J. E. SPEIGHT,
Secretary.

S. 115 POSTPONED

On motion of Mr. Dawkins, further consideration of the bill, S. 115, as amended, was postponed until the next legislative day as Unfinished Business.

BILLS ON THIRD READING RESUMED MOTION TO POSTPONE H. 126 LOST

The motion of Mr. Goodwyn to lay on the table the motion of Mr.

Oden to postpone consideration of the bill, H. 126 until the twenty-fifth legislative day without losing its place on the Calendar was adopted.

Yeas 74; Nays 22.

Yeas:

Messrs.	Dement	Johnson (Tallapoosa)	Pruitt
Adams	DeSear	Kaul	Ramey
Ashworth	Edwards (Jefferson)	Kendall	Reynolds
Bassett	Faulk	Lackey	Richardson
Boyd	Ferrell	Law	Roberts
Bradford	Franklin	Lee (Barbour)	Selman
Brannan	Goodwyn	Lee (Lawrence)	Simon
Branyon	Grouby	McClendon	Solomon
Brassell	Hain	McKay	Speaks
Brewer	Hall	McLendon	Steagall
Broadfoot	Haltom	McNider	Stembridge
Brown (Lamar)	Hardy	Mathison	Stokes
Brown (Lee)	Hare	Molette	Thomas
Callahan	Harrison	Murphy	Tyson
Cornett	Harvey	Nice	Vacca
Cox	Hawkins	Nolen	Ward
Crook	Holliman	Oakley	Windle
Dawkins	Huddleston	Payne	Wood
deGraffenried	Johnson (Elmore)	Perry	

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Nays:

Mr. Speaker	Gilchrist	Jenkins	Money
Albea	Gist	Killough	Nettles
Brooks	Gregory	Kirkham	Oden
Burkhalter	Hanby	Locke (Perry)	Pirkle
Dickson	Hodges	Love	Taylor
Edwards (Escambia)	Hunt		

—22

And the bill:

H. 126. To amend Title 41, Section 154, Code of Alabama 1940, as amended, which relates to travel expense for persons in State service.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 6.

Yeas:

Mr. Speaker	Callahan	Gilchrist	Holliman
Adams	Cornett	Gist	Huddleston
Ashworth	Cox	Goodwyn	Hunt
Bassett	Crook	Gregory	Johnson (Elmore)
Boyd	Dawkins	Grouby	Johnson (Tallapoosa)
Bradford	deGraffenried	Hain	Kaul
Brannan	Dement	Hall	Kendall
Branyon	DeSear	Haltom	Killough
Brassell	Dickson	Hardy	Kirkham
Brewer	Edwards (Escambia)	Hare	Lackey
Broadfoot	Edwards (Jefferson)	Harrison	Law
Brown (Lamar)	Faulk	Harvey	Lee (Barbour)
Brown (Lee)	Ferrell	Hawkins	Lee (Lawrence)
Burkhalter	Franklin	Hodges	McClendon

McKay	Nettles	Richardson	Stokes
McLendon	Nice	Roberts	Summerlin
McNider	Nolen	Selman	Taylor
Martin	Oakley	Shumate	Thomas
Mathison	Payne	Simon	Tyson
Meeks	Perry	Solomon	Vacca
Molette	Pruitt	Speaks	Ward
Money	Ramey	Steagall	Windle
Murphy	Reynolds	Stembridge	Wood

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Nays:

Messrs.	Hanby	Locke (Perry)	Oden
Albea	Jenkins	Love	

—6

H. 66 POSTPONED

On motion of Mr. Murphy, consideration of the bill, H. 66, was postponed until the seventeenth legislative day.

And the bill:

H. 67 (with amendment). To amend Section 123 of Title 7 of the Code of Alabama, 1940, relating to actions for wrongful act, omission or negligence causing death.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

JUDICIARY COMMITTEE AMENDMENT TO H. B. 67

Amend Section 1 of H. B. 67 by adding at the end thereof the words "Provided that no recovery shall exceed the sum of \$25,000.00."

On motion of Mr. Hawkins the amendment reported by the Standing Committee on Judiciary was laid upon the table.

And said bill, H. 67, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 34.

Yeas:

Mr. Speaker	Ferrell	Johnson (Tallapoosa)	Nice
Adams	Gilchrist	Kelly	Nolen
Albea	Goodwyn	Kendall	Oden
Ashworth	Gregory	Law	Reynolds
Bassett	Hain	Lee (Barbour)	Roberts
Brannan	Hall	Lee (Lawrence)	Selman
Brassell	Haltom	Love	Shumate
Broadfoot	Hare	McClendon	Simon
Burkhalter	Harrison	McLendon	Solomon
Callahan	Hawkins	McNider	Speaks
Cornett	Hodges	Mathews	Steagall
Crook	Holliman	Mathison	Summerlin
Dawkins	Huddleston	Meeks	Thomas
deGraffenried	Hunt	Molette	Tyson
Dement	Johnson (Elmore)	Murphy	Wood
Edwards (Escambia)			

—61

Nays:

Messrs.	Faulk	Kirkham	Pruitt
Boyd	Franklin	Lackey	Ramey
Bradford	Gist	McKay	Richardson
Branyon	Hanby	Money	Stembridge
Brewer	Hardy	Nettles	Taylor
Brown (Lee)	Harvey	Oakley	Vacca
DeSear	Jenkins	Payne	Ward
Dickson	Kaul	Perry	Windle
Edwards (Jefferson)	Killough	Pirkle	

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RESOLUTION

The following resolution was introduced:

By Mr. Hare:

H.J.R. 35. WHEREAS, the present Administration is committed to the program of legislation which will improve and expedite the practice and procedure in the courts of this State; and,

WHEREAS, it will be necessary for a careful and detailed study to be made of existing practice and procedure in the courts of this State and other states, with a view of making suggested and desirable improvements of the practice and procedure in the State of Alabama; and,

WHEREAS, this study will require the cooperative efforts of members of both the Senate and House, the Bench and Bar of the State of Alabama for a considerable period of time; and,

WHEREAS, it will be necessary for the members of the Senate and the House who are appointed on the Judiciary Advisory Council, to have hearings on the said proposed legislation from time to time, when the Legislature is not in session;

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives the Senate concurring, as follows:

1. A Judiciary Advisory Council be and the same is hereby established.

2. The Judiciary Advisory Council shall consist of two members from the Senate and three members from the House of Representatives, to be appointed by the Lt. Governor and the Speaker of the House, respectively, and the members of the Council shall select one of their number to be Chairman.

3. The Chairman of the Judiciary Advisory Council shall, by and with the consent of the members of the Council, appoint not less than seven nor more than eighteen of the outstanding members of the Bench and Bar of the State of Alabama to serve on a commission, to be known as the "Commission For Judicial Reform", one of whom shall be designated by the Chairman of the Council as Chairman of the Commission, all of whom shall serve without compensation. The President of the Alabama Bar Association shall be an ex officio member; the Chief Justice of the Supreme Court of Alabama also shall be an ex officio member and Honorary Chairman of the Commission and he shall be paid his expenses on attending meetings.

4. The Commission shall perform its work in cooperation with the Judiciary Advisory Council and under the direction of the Council, and

make to it a report of its findings and recommendations from time to time.

5. The Judiciary Advisory Council and the Commission For Judicial Reform shall make a joint study of the practice and procedure in the courts of the State of Alabama, including without limitation, the form, manner and order of conducting cases, suits and actions in all courts of Alabama, and recommend, in legislative form, measures which will improve the practice and procedure in the courts of Alabama, and such other measures as will facilitate the administration of justice.

6. The Chairman of the Judiciary Advisory Council shall have the right to employ and fix the compensation of experts to make a study of the practice and procedure in the courts of Alabama and other states, and not more than three stenographers and a clerk to assist the Council and Commission in drafting the necessary legislation to be presented to the Legislature.

7. The members of the Judiciary Advisory Council shall receive, as compensation, the same per diem expense and allowances as is now provided by law for members of the Legislature while actually attending the work of the Council, and their actual travel expenses to and from meetings but not to be paid for more than thirty days in any one calendar year. No member shall receive any compensation for the performance of his duty as a member of the Council while being paid as a member of the Legislature. The Council shall make its report back to the Legislature within six months from the date of the passage of this Resolution.

8. All reasonable and necessary expenses of the Judiciary Advisory Council incurred in the performance of its duties shall be paid, on order of the Chairman of the Council, out of the funds appropriated for the payment of expenses for any legislative sessions.

9. The Council shall meet on call of its Chairman at such place and time to be designated by him. A majority of the Council shall constitute a quorum for the transaction of business.

10. The Commission shall meet on the call of its Chairman, or on the call of the Chairman of the Council at such place and time to be designated by him. A majority of the Commission shall constitute a quorum for the transaction of business.

11. Any vacancy for any cause occurring on either the Council or Commission shall be filled by the Chairman of the Council.

The motion of Mr. Hare to suspend the rules in order to bring up for immediate consideration the above and foregoing H.J.R. 35 was lost.

Yeas 62; Nays 30.

Yeas:

Mr. Speaker	Broadfoot	Edwards (Jefferson)	Haltom
Bassett	Brown (Lamar)	Ferrell	Hanby
Boyd	Callahan	Franklin	Hardy
Bradford	Cornett	Gist	Hare
Brannan	Dawkins	Goodwyn	Harrison
Branyon	deGraffenried	Hain	Hawkins
Brewer	Dement	Hall	Hodges

Huddleston	McKay	Oden	Speaks
Johnson (Elmore)	McLendon	Pirkle	Steagall
Kendall	Mathews	Ramey	Stembridge
Killough	Meeks	Reynolds	Stokes
Lackey	Molette	Roberts	Taylor
Law	Money	Selman	Tyson
Lee (Lawrence)	Murphy	Shumate	Vacca
Locke (Choctaw)	Nice	Simon	Wood
Love	Nolen		

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Nays:

Messrs.	Faulk	Kaul	Payne
Adams	Gilchrist	Kirkham	Perry
Albea	Gregory	Lee (Barbour)	Richardson
Ashworth	Grouby	Locke (Perry)	Solomon
Brassell	Harvey	McNider	Thomas
Burkhalter	Holliman	Mathison	Ward
DeSear	Hunt	Nettles	Windle
Dickson	Jenkins	Oakley	

—30

And said resolution H.J.R. 35 was referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 114. To make it a felony for any person other than a wholesaler, distributor, or dealer, or other person authorized by the Alcoholic Beverage Control Board, to have in his possession any unattached Alabama revenue stamps, crowns, or lids used for the purpose of identifying alcoholic beverages sold or distributed under the provisions of Title 29 of the Code of Alabama (1940).

Also:

S. 143. Relating to Macon County; to prohibit the taking of fish with hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines, and snaglines, from the public waters in such county.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

RECESS

On motion of Mr. Dawkins the House recessed for five minutes.

The House reconvened. The Speaker called the House to order.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 113. To regulate further the payment of the compensation of clerks of courts of county commissioners, boards of revenue, or like county governing bodies.

Also:

H. 177. To make an additional appropriation to the Agricultural Center Board for the fiscal year ending September 30, 1955, from funds in the State Treasury not otherwise appropriated.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Lamberth:

S.J.R. 28. BE IT RESOLVED by the Senate, the House of Representatives concurring, that House Bill No. 177 shall be known and designated as the "Davis-Lamberth Bill."

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S.J.R. 28 set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Mr. Hawkins:

H.J.R. 36. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Friday, June 24, 1955.

On motion of Mr. Hawkins the rules were suspended and H.J.R. 36 was adopted.

BILLS ON THIRD READING RESUMED
H. 15 INDEFINITELY POSTPONED

On motion of Mr. Summerlin, the bill, H. 15, was indefinitely postponed.

And the bill:

H. 10 (with amendment). To amend Section 5 of Act No. 338, General Acts of 1949, page 503, approved August 8, 1949, entitled "To provide for the assignment of accounts receivable and for notice thereof; and to fix the rights and liabilities of the assignors and assignees of such accounts received and of the persons owing the same, and of all persons interested therein, and to provide for the enforcement of such rights and liabilities; all in order to promote trade and commerce by facilitating the sale and pledge of accounts receivable and to eliminate fraud in connection with secret assignmnets".

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

JUDICIARY COMMITTEE AMENDMENT TO H.B. 10

Amend Section 1 of House Bill 10 by striking therefrom where same appears the word "October" and inserting in lieu thereof the word "August".

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Tallapoosa)	Oden
Adams	Edwards (Jefferson)	Kaul	Payne
Albea	Faulk	Kendall	Perry
Ashworth	Ferrell	Killough	Pirkle
Bassett	Franklin	Kirkham	Pruitt
Boyd	Gilchrist	Lackey	Ramey
Bradford	Gist	Law	Reynolds
Brannan	Goodwyn	Lee (Barbour)	Richardson
Branyon	Gregory	Lee (Lawrence)	Selman
Brassell	Grouby	Locke (Choctaw)	Shumate
Broadfoot	Hain	Locke (Perry)	Simon
Brooks	Hall	Love	Solomon
Brown (Lee)	Haltom	McClendon	Speaks
Burkhalter	Hanby	McKay	Steagall
Callahan	Hardy	McLendon	Stembridge
Cornett	Hare	McNider	Stokes
Cox	Harrison	Mathison	Summerlin
Crook	Hawkins	Meeks	Taylor
Davis	Hodges	Molette	Thomas
Dawkins	Holliman	Money	Tyson
deGraffenried	Huddleston	Murphy	Vacca
Dement	Hunt	Nettles	Ward
DeSear	Jenkins	Nolen	Windle
Dickson	Johnson (Elmore)	Oakley	Wood

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And said bill, H. 10, as thus amended, was read a third time at

length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Johnson (Tallapoosa)	Payne
Adams	Faulk	Kaul	Perry
Albea	Ferrell	Kendall	Pirkle
Ashworth	Franklin	Killough	Pruitt
Bassett	Gilchrist	Kirkham	Ramey
Boyd	Gist	Lackey	Reynolds
Bradford	Goodwyn	Law	Richardson
Brannan	Gregory	Lee (Barbour)	Roberts
Branyon	Grouby	Lee (Lawrence)	Selman
Brassell	Hain	Locke (Choctaw)	Shumate
Broadfoot	Hall	Love	Simon
Brooks	Haltom	McClendon	Solomon
Brown (Lamar)	Hanby	McKay	Speaks
Brown (Lee)	Hardy	McLendon	Steagall
Burkhalter	Hare	McNider	Stembridge
Cornett	Harrison	Mathison	Stokes
Cox	Harvey	Meeks	Summerlin
Crook	Hawkins	Molette	Taylor
Davis	Hodges	Money	Thomas
Dawkins	Holliman	Murphy	Tyson
Dement	Huddleston	Nettles	Vacca
DeSear	Hunt	Nolen	Ward
Dickson	Jenkins	Oakley	Windle
Edwards (Escambia)	Johnson (Elmore)	Oden	Wood

—96

REPORT OF RULES COMMITTEE

Mr. Fite, Chairman of the Standing Committee on Rules reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report, with amendment.

By Mr. Hare (with amendment):

H.J.R. 35. Relative to establishing a Judiciary Advisory Council.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Rules, said committee amendment being as follows:

RULES COMMITTEE AMENDMENT TO HOUSE JOINT RESOLUTION NO. 55

At the end of Section 8 the period be changed to a comma and the following words added: "the amount so expended shall not exceed \$50,000."

And the committee amendment to H.J.R. 35 was adopted.

And H.J.R. 35, as amended by the committee amendment, was adopted.

And the Speaker appointed Messrs. Hare, Haltom and Steagall on the part of the House as members of the Judiciary Advisory Council.

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report.

By Messrs. Flowers, Yarbrough (Randolph), Little and Cantrell:

S.J.R. 26. Relative to a committee composed of the Lieutenant Governor, the Attorney General and the legal adviser to the Governor conferring with a similar committee appointed by the state of Georgia to see if a more equitable boundary line can be worked out between the two states.

And S.J.R. 26 was concurred in and adopted.

MOTION TO ADJOURN LOST

The motion of Mr. Perry to adjourn until Friday, June 24, 1955, at ten o'clock A.M. was lost.

BILLS ON THIRD READING RESUMED

H. 124. To provide that persons in the service of the government of the United States and their spouses, if living within the borders of the State of Alabama at the time of their death, shall be deemed to be residents and inhabitants of Alabama for purposes of general probate jurisdiction.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kendall	Payne
Adams	Faulk	Killough	Perry
Albea	Franklin	Kirkham	Pirkle
Ashworth	Gilchrist	Lackey	Pruitt
Bassett	Gist	Law	Ramey
Boyd	Goodwyn	Lee (Barbour)	Reynolds
Bradford	Gregory	Lee (Lawrence)	Richardson
Branyon	Grouby	Locke (Choctaw)	Roberts
Brassell	Hain	Love	Selman
Brewer	Hall	McClendon	Shumate
Broadfoot	Haltom	McKay	Simon
Brooks	Hardy	McLendon	Speaks
Brown (Lamar)	Hare	McNider	Steagall
Brown (Lee)	Harrison	Mathews	Stembridge
Burkhalter	Harvey	Mathison	Stokes
Cornett	Hawkins	Meeks	Summerlin
Cox	Hodges	Money	Taylor
Crook	Holliman	Murphy	Thomas
Davis	Huddleston	Nettles	Tyson
deGraffenried	Hunt	Nice	Vacca
Dement	Jenkins	Nolen	Ward
Dickson	Johnson (Elmore)	Oakley	Windle
Edwards (Escambia)	Johnson (Tallapoosa)	Oden	Wood

—92

And the bill:

H. 148. To amend Section 45 of an Act approved August 30, 1949, (Act No. 516, H. 769, Acts of Alabama, 1949, p. 740) entitled "An Act to

regulate further the use of the highways of the State by pedestrians and vehicles; prescribing equipment of certain vehicles and further prescribing rules and regulations governing traffic and the operation of vehicles on the highways; providing for the method of enforcing this Act; and prescribing penalties for violations hereof."

Was read a third time at length and lost.

Yeas 32; Nays 58.

Yeas:

Mr. Speaker	Edwards (Escambia)	Huddleston	Perry
Brannan	Edwards (Jefferson)	Killough	Selman
Brassell	Gist	Law	Simon
Broadfoot	Hain	Molette	Speaks
Brooks	Haltom	Money	Summerlin
Brown (Lamar)	Hanby	Murphy	Taylor
Cox	Hardy	Nice	Vacca
Dement	Hodges	Oden	Wood

—32

Nays:

Messrs.	Dickson	Kaul	Oakley
Albea	Faulk	Kendall	Payne
Ashworth	Ferrell	Kirkham	Pirkle
Bassett	Franklin	Lee (Barbour)	Pruitt
Boyd	Gilchrist	Lee (Lawrence)	Ramey
Bradford	Goodwyn	Locke (Choctaw)	Richardson
Branyon	Gregory	Locke (Perry)	Shumate
Brewer	Grouby	McKay	Steagall
Burkhalter	Hall	McLendon	Stembridge
Callahan	Harrison	McNider	Stokes
Crook	Harvey	Martin	Thomas
Davis	Holliman	Mathews	Tyson
Dawkins	Jenkins	Mathison	Ward
deGraffenried	Johnson (Elmore)	Nettles	Windle
DeSear	Johnson (Tallapoosa)	Nolen	

—58

And the bill:

H. 247. To amend Section 211 of Title 61 of the Alabama Code of 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 8.

Yeas:

Mr. Speaker	Brown (Lamar)	Ferrell	Harvey
Albea	Brown (Lee)	Gilchrist	Hawkins
Ashworth	Burkhalter	Gist	Hodges
Bassett	Callahan	Grouby	Holliman
Bradford	Cox	Hain	Huddleston
Brannan	Crook	Hall	Hunt
Branyon	Davis	Haltom	Jenkins
Brassell	Dawkins	Hanby	Johnson (Elmore)
Brewer	deGraffenried	Hardy	Johnson (Tallapoosa)
Broadfoot	Dement	Hare	Kaul
Brooks	Edwards (Escambia)	Harrison	Kendall

Kirkham	Mathews	Ramey	Stembridge
Lee (Barbour)	Mathison	Reynolds	Stokes
Lee (Lawrence)	Money	Richardson	Summerlin
Locke (Choctaw)	Murphy	Roberts	Thomas
Locke (Perry)	Nice	Selman	Tyson
Love	Nolen	Shumate	Vacca
McClendon	Oden	Simon	Ward
McLendon	Perry	Speaks	Windle
McNider	Pruitt	Steagall	Wood

—80

Nays:

Messrs.	Franklin	Law	Oakley
Boyd	Killough	McKay	Payne
Faulk			

—8

And the bill:

H. 248. To amend Section 119 of Title 61 of the Alabama Code of 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 4.

Mr. Speaker	Franklin	Johnson (Tallapoosa)	Nolen
Albea	Gilchrist	Kendall	Oden
Ashworth	Gist	Kirkham	Payne
Bassett	Goodwyn	Lackey	Pruitt
Bradford	Gregory	Law	Ramey
Brannan	Grouby	Lee (Barbour)	Reynolds
Branyon	Hain	Lee (Lawrence)	Roberts
Brassell	Hall	Locke (Choctaw)	Selman
Brewer	Haltom	Locke (Perry)	Shumate
Broadfoot	Hanby	Love	Simon
Brooks	Hardy	McClendon	Speaks
Brown (Lamar)	Hare	McLendon	Steagall
Brown (Lee)	Harrison	McNider	Stembridge
Callahan	Harvey	Martin	Stokes
Cox	Hawkins	Mathews	Thomas
Crook	Hodges	Mathison	Tyson
Davis	Holliman	Meeks	Vacca
deGraffenried	Huddleston	Money	Ward
Dement	Hunt	Murphy	Windle
Edwards (Escambia)	Jenkins	Nice	Wood
Ferrell	Johnson (Elmore)		

—82

Nays: Messrs. Boyd, McKay, Oakley and Richardson.

—4

And the bill:

H. 249. To amend Section 419 of Title 61 of the Alabama Code of 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 4.

Yeas:

Mr. Speaker	Franklin	Kaul	Payne
Adams	Gilchrist	Kendall	Perry
Albea	Gist	Kirkham	Pirkle
Ashworth	Gregory	Lackey	Pruitt
Bassett	Grouby	Law	Ramey
Bradford	Hain	Lee (Barbour)	Reynolds
Brannan	Hall	Lee (Lawrence)	Roberts
Branyon	Haltom	Locke (Choctaw)	Selman
Brassell	Hanby	Locke (Perry)	Shumate
Brewer	Hardy	Love	Simon
Brooks	Hare	McClendon	Speaks
Brown (Lamar)	Harrison	McLendon	Steagall
Brown (Lee)	Harvey	McNider	Stembridge
Callahan	Hawkins	Martin	Stokes
Cox	Hodges	Mathison	Summerlin
Crook	Holliman	Meeks	Taylor
Davis	Huddleston	Money	Thomas
Dawkins	Hunt	Murphy	Tyson
deGraffenried	Jenkins	Nice	Vacca
Dement	Johnson (Elmore)	Nolen	Windle
Edwards (Escambia)	Johnson (Tallapoosa)	Oden	Wood
Ferrell			

—85

Nays: Messrs. Boyd, McKay, Oakley and Richardson.

—4

H. 258 POSTPONED

On motion of Mr. Harvey, consideration of the bill, H. 258, was postponed until the seventeenth legislative day.

Yeas 70; Nays 19.**Yeas:**

Mr. Speaker	Crook	Hunt	Mathews
Adams	Davis	Jenkins	Money
Albea	deGraffenried	Johnson (Elmore)	Nettles
Ashworth	Dement	Johnson (Tallapoosa)	Oakley
Bassett	DeSear	Kendall	Oden
Boyd	Dickson	Killough	Payne
Bradford	Edwards (Escambia)	Kirkham	Perry
Brannan	Edwards (Jefferson)	Law	Pirkle
Branyon	Faulk	Lee (Barbour)	Pruitt
Brassell	Ferrell	Lee (Lawrence)	Ramey
Brewer	Franklin	Locke (Choctaw)	Richardson
Broadfoot	Gregory	Locke (Perry)	Simon
Brooks	Haltom	Love	Stokes
Brown (Lamar)	Harrison	McClendon	Taylor
Brown (Lee)	Harvey	McKay	Thomas
Burkhalter	Hawkins	McLendon	Windle
Callahan	Hodges	McNider	Wood
Cox	Holliman		

—70

Nays:

Messrs.	Hanby	Meeks	Shumate
Dawkins	Hardy	Nice	Steagall
Grouby	Huddleston	Nolen	Stembridge
Hain	Kaul	Roberts	Tyson
Hall	Lackey	Selman	Vacca

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MOTION TO ADJOURN LOST

The motion of Mr. Brown (Lee) to adjourn until Friday, June 24, 1955, at ten o'clock A.M. was lost.

Yeas 47; Nays 48.

Yeas:

Messrs.	Edwards (Jefferson)	Johnson (Elmore)	Mathison
Adams	Faulk	Johnson (Tallapoosa)	Meeks
Albea	Ferrell	Kaul	Nettles
Ashworth	Franklin	Killough	Nice
Brassell	Grouby	Kirkham	Nolen
Broadfoot	Hain	Lackey	Oakley
Brooks	Hanby	Law	Perry
Brown (Lee)	Hardy	Locke (Choctaw)	Pruitt
Burkhalter	Harrison	Locke (Perry)	Ramey
Callahan	Harvey	McClendon	Richardson
Cox	Hodges	McKay	Vacca
DeSear	Hunt	McNider	Ward

—47

Nays:

Mr. Speaker	Dickson	Lee (Barbour)	Selman
Bassett	Edwards (Escambia)	Lee (Lawrence)	Shumate
Boyd	Gist	Love	Simon
Bradford	Goodwyn	McClendon	Speaks
Brannan	Gregory	Martin	Steagall
Branyon	Hall	Mathews	Stembridge
Brewer	Halton	Money	Stokes
Brown (Lamar)	Hawkins	Oden	Taylor
Crook	Holliman	Payne	Thomas
Davis	Huddleston	Pirkle	Tyson
Dawkins	Jenkins	Reynolds	Windle
Dement	Kendall	Roberts	Wood

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 259. To authorize the execution of any bonds, notes, or other obligations for the payment of money by any city or town of this State, with an engraved, imprinted, stamped or otherwise reproduced facsimile of any signature, seal or other means of authentication, certification or endorsement required or permitted to be recorded thereon.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 36. Relative to adjournment of the two Houses until Friday, June 24, 1955.

J. E. SPEIGHT,
Secretary.

H. 286 POSTPONED

On motion of Mr. Selman, consideration of the bill, H. 286, was postponed until the twentieth legislative day without losing its place on the Calendar.

MOTION TO ADJOURN LOST

The motion of Mr. Richardson to adjourn until Friday, June 24, 1955, at ten o'clock A.M. was lost.

BILLS ON THIRD READING RESUMED

H. 110 (with substitute). To amend further Section 89 of Title 36, Code of Alabama (1940), which limits the size and weight of motor vehicles and loads.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

SUBSTITUTE FOR H.B. 110**A BILL
TO BE ENTITLED
AN ACT**

To amend further Section 89 of Title 36, Code of Alabama (1940) which limits the size and weight of motor vehicles and loads.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 89 of Title 36, Code of Alabama 1940, as amended, is amended further to read as follows:

"It shall be unlawful for any person to drive or move on any highway in this state any vehicle or vehicles of a size or weight except in accordance with the following provisions:

"(a) Width. No vehicle shall exceed a total outside width including any load thereon of eight feet. No vehicle shall be driven or drawn upon a highway with more than four animals abreast. No passenger vehicle shall carry any load extending beyond the line of the fenders.

"(b) Height. No vehicle shall exceed in height twelve and one-half feet.

"(c) Length. No vehicle shall exceed in length thirty-five feet except that the length of semi-trailer trucks, including any part of the body or load, shall not exceed fifty feet. No vehicle operated on a highway shall carry any load extending more than two feet beyond the front thereof.

"(d) Weight. (1) The gross weight imposed on the highway by the wheels of any one axle of a vehicle shall not exceed eighteen thousand (18,000) pounds, or such lower weight, if any, as may be required by federal law to keep the State from losing federal funds.

"(2) For the purpose of this Act, an axle load shall be defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse verticle planes forty inches apart, extending across the full width of the vehicle.

"(3) Subject to the limit upon the weight imposed upon the highway through any one axle as set forth herein, the total weight with

load imposed upon the highway by all the axles of a vehicle or combination of vehicles shall not exceed the gross weight given for the respective distances between the first and last axle of the vehicle or combination of vehicles, measured longitudinally to the nearest foot as set forth in the following table:

Distance in feet between first and last axles of vehicle or combination of vehicles.	Maximum load in pounds on all the axles.
4	32,000
5	32,000
6	32,000
7	32,000
8	32,610
9	33,580
10	34,550
11	35,510
12	36,470
13	37,420
14	38,360
15	39,300
16	40,230
17	41,160
18	42,080
19	42,990
20	43,900
21	44,800
22	45,700
23	46,590
24	47,470
25	48,350
26	49,200
27	50,090
28	50,950
29	51,800
30	52,650
31	53,490
32	54,330
33	55,160
34	55,980
35	56,800
36	57,610
37	58,420
38	59,220
39	60,010
40	60,800
41	61,580
42	62,360
43	63,130
44	63,890
45	64,650

Except as provided by special permits, no vehicle or combination of vehicles exceeding the gross weights specified above shall be permitted to travel on the public highways within the State of Alabama.

"(4) For purposes of enforcement of subsection (d) of Section (1) One hereof all scaled weights per axle shall be deemed to have a margin of error of (10%) ten per cent of the true axle gross weights.

"(5) Dump trucks, concrete mixing trucks, fuel oil and gasoline trucks designed and constructed for special type work or use shall meet the load limitations stated in subsection (d) hereof.

"(6) Provided further, that the governing body of a county by appropriate resolution may authorize limitations less than those herein prescribed for vehicles operated upon the county highways of such county.

Section 2. This Act shall not repeal or otherwise affect in any way an Act entitled "An Act to define a 'Motor Bus' and to provide a maximum permissible length for any motor bus driven or operated upon the highways of Alabama and to repeal all laws in conflict therewith." Approved September 11, 1951—Act No. 801, Acts of Alabama, Regular Session 1951, Volume II, page 1400.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

MOTION TO ADJOURN LOST

The motion of Mr. Grouby to adjourn until Friday, June 24, 1955, at ten o'clock A.M. was lost.

Yeas 46; Nays 46.

Yeas:

Messrs.	DeSear	Hunt	McNider
Adams	Edwards (Jefferson)	Jenkins	Nettles
Albea	Faulk	Johnson (Elmore)	Nice
Ashworth	Ferrell	Johnson (Tallapoosa)	Oakley
Brannan	Gilchrist	Kaul	Perry
Brassell	Grouby	Killough	Pruitt
Brewer	Hain	Kirkham	Reynolds
Broadfoot	Haltom	Law	Richardson
Brown (Lee)	Hanby	Locke (Choctaw)	Summerlin
Callahan	Harvey	Locke (Perry)	Tyson
Cox	Hodges	Love	Ward
deGraffenried	Huddleston	McKay	

—46

Nays:

Mr. Speaker	Edwards (Escambia)	Lee (Lawrence)	Ramey
Bassett	Franklin	McLendon	Roberts
Boyd	Gist	Martin	Selman
Bradford	Gregory	Mathews	Shumate
Branyon	Hall	Mathison	Simon
Brooks	Hardy	Meeks	Speaks
Brown (Lamar)	Hare	Money	Steagall
Burkhalter	Harrison	Murphy	Stembridge
Crook	Hawkins	Nolen	Stokes
Davis	Holliman	Payne	Windle
Dawkins	Kendall	Pirkle	Wood
Dement	Lee (Barbour)		

—46

CONSIDERATION OF H. 110 RESUMED

H. 110. To amend further Section 89 of Title 36, Code of Alabama (1940), which limits the size and weight of motor vehicles and loads.

Was again taken up.

And the substitute reported by the Standing Committee on Ways and Means was adopted.

Yeas 80; Nays 10.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kaul	Oden
Adams	Ferrell	Kelly	Payne
Ashworth	Franklin	Kendall	Perry
Bassett	Gist	Killough	Pirkle
Bradford	Goodwyn	Kirkham	Ramey
Brannan	Gregory	Lackey	Reynolds
Branyon	Hain	Lee (Barbour)	Richardson
Brassell	Hall	Locke (Choctaw)	Roberts
Brooks	Haltom	Locke (Perry)	Selman
Brown (Lamar)	Hanby	McClendon	Shumate
Burkhalter	Hardy	McKay	Steagall
Callahan	Hare	McLendon	Stokes
Cox	Harrison	McNider	Summerlin
Crook	Hawkins	Martin	Taylor
Davis	Hodges	Mathews	Thomas
Dawkins	Holliman	Mathison	Tyson
deGraffenried	Huddleston	Money	Vacca
Dement	Hunt	Nettles	Ward
DeSear	Jenkins	Nolen	Windle
Edwards (Escambia)	Johnson (Tallapoosa)	Oakley	Wood

—80

Nays:

Messrs.	Brewer	Grouby	Pruitt
Albea	Brown (Lee)	Law	Simon
Boyd	Gilchrist	Murphy	

—10

And said bill, H. 110, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 29.

Yeas:

Mr. Speaker	Dement	Holliman	McLendon
Ashworth	DeSear	Hunt	McNider
Bassett	Dickson	Johnson (Tallapoosa)	Martin
Bradford	Edwards (Escambia)	Kelly	Mathews
Branyon	Ferrell	Kendall	Mathison
Brassell	Franklin	Kirkham	Meeks
Brooks	Gist	Lee (Barbour)	Money
Brown (Lamar)	Goodwyn	Lee (Lawrence)	Nettles
Burkhalter	Gregory	Locke (Choctaw)	Oden
Cox	Hall	Locke (Perry)	Payne
Crook	Hare	Love	Pirkle
Davis	Harrison	McClendon	Ramey
Dawkins	Hawkins	McKay	Selman

Shumate
Speaks
Steagall

Stembridge
Stokes
Thomas

Vacca
Ward

Windle
Wood

—62

Nays:

Messrs.
Adams
Albea
Boyd
Brannan
Brewer
Broadfoot
Brown (Lee)

Callahan
deGraffenried
Edwards (Jefferson)
Faulk
Gilchrist
Grouby
Haltom
Hanby,

Hardy
Harvey
Hodges
Huddleston
Jenkins
Law
Murphy

Nice
Oakley
Pruitt
Richardson
Roberts
Simon
Tyson

—29

MOTION TO RECONSIDER TABLED

The motion of Mr. Dawkins to lay on the table the motion of Mr. Davis to reconsider the vote by which the bill, H. 110, as amended, was passed, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 27. Condemning the action of the Conference of G.A.T.T. with regard to textile tariff reduction on Japan-made goods and urging Congress to enact legislation providing for a system of quotas on textile imports similar to the system of quotas on immigration thereby safeguarding textile industry in Alabama and the U. S.

Also:

S. J. R. 28. Relative to naming House Bill No. 177.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 16. To amend an Act of the Legislature of Alabama approved September 11, 1953; (Acts of Alabama regular session, 1953, Vol. 2, Page 832). To re-divide the State into judicial circuits to create the thirty-second Judicial Circuit and to provide for a Circuit Judge and Circuit Solicitor of the newly created circuit.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Davis (Lowndes) and Cooper:

S. 51. To amend Act No. 703, H. 544, approved September 5, 1951, which created the State Department of Public Welfare and made provisions for the administration of the State's public welfare program (Acts of 1950-1951, Vol. II, page 1211).

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 51. Ways and Means.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:12 A.M. On June 21, 1955

H. 234

Delivered to the Governor at 2:35 P.M. On June 21, 1955

H. 270

Delivered to the Governor at 3:35 P.M. On June 21, 1955

H. 113

H. 177

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Lee (Barbour) the House adjourned until Friday, June 24, 1955, at ten o'clock A.M.

FIFTEENTH DAY

House of Representatives
Montgomery, Alabama
Friday, June 24, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Alfred L. Bixler, Minister, Memorial Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards (Jefferson)	Kaul	Oden
Adams	Faulk	Kelly	Payne
Albea	Ferrell	Kendall	Perry
Ashworth	Franklin	Killough	Pirkle
Bassett	Gilchrist	Kirkham	Pruitt
Bradford	Gist	Lackey	Ramey
Branyon	Goodwyn	Law	Reynolds
Brassell	Gregory	Lee (Barbour)	Richardson
Brewer	Grouby	Lee (Lawrence)	Roberts
Broadfoot	Hain	Locke (Choctaw)	Selman
Brooks	Hall	Locke (Perry)	Shumate
Brown (Lamar)	Haltom	McClendon	Simon
Brown (Lee)	Hanby	McKay	Solomon
Burkhalter	Hardy	McLendon	Speaks
Callahan	Hare	McNider	Steagall
Cornett	Harrison	Martin	Stembridge
Cox	Harvey	Mathews	Stokes
Crook	Hawkins	Meeks	Summerlin
Davis	Hodges	Molette	Taylor
Dawkins	Holliman	Money	Thomas
deGraffenried	Huddleston	Murphy	Tyson
Dement	Hunt	Nettles	Vacca
DeSear	Jenkins	Nice	Ward
Dickson	Johnson (Elmore)	Nolen	Windle
Edwards (Escambia)	Johnson (Tallapoosa)	Oakley	Wood

—100

A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Bassett, leave of absence was granted to Mr. Boyd because of illness in his family.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Fourteenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the fourteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the fourteenth legislative day was approved.

REPORT OF RULES COMMITTEE

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report.

By Rules Committee:

H.R. 37. BE IT RESOLVED BY THE HOUSE that the following bills in the order named be made special, paramount and continuing order of business for today, preceding any other business on the Calendar

H. No. 377 Page 23

H. No. 378 Page 23

H. 41 Page 3

H. No. 17 Page 6

H. No. 45 Page 9

H. No. 256 Page 9

H. No. 85 Page 13

And H.R. 37 was adopted.

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report, with amendment.

By Messrs. Stokes and Nice (with amendment):

H.J.R. 29.* Resolved by the House, the Senate concurring, That the Clerk of the House is hereby authorized and directed to set aside, renovate, decorate, furnish, and equip Room 216 in the Capitol as a place of meditation and prayer for members and officers of the legislature, and for such purpose he may spend a sum not exceeding six thousand dollars, out of any funds appropriated for the use of the Legislature.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Rules, said committee amendment being as follows:

RULES COMMITTEE AMENDMENT TO H.J.R. NO. 29

Amend H. J. R. No. 29 by deleting the words "six thousand dollars" and inserting in lieu thereof the words "four thousand five hundred dollars".

On motion of Mr. Oden H. J. R. 29 and pending amendment was laid upon the table.

Yeas 41; Nays 33.

Yeas:

Messrs.	Davis	Jenkins	Nettles
Adams	Dawkins	Johnson (Tallapoosa)	Oakley
Ashworth	deGraffenried	Kendall	Oden
Bassett	Dement	Killough	Pirkle
Branyon	DeSear	Lee (Lawrence)	Reynolds
Broadfoot	Faulk	Locke (Choctaw)	Simon
Brooks	Hain	Locke (Perry)	Solomon
Brown (Lamar)	Hall	McClendon	Speaks
Callahan	Haltom	Money	Taylor
Cox	Hanby	Murphy	Windle
Crook	Hunt		

—41

Nays:

Mr. Speaker	Gilchrist	Hare	Kelly
Burkhalter	Gist	Harvey	Kirkham
Cornett	Goodwyn	Hawkins	Lee (Barbour)
Edwards (Escambia)	Gregory	Hodges	McKay
Ferrell	Hardy	Holliman	McLendon

Martin
Molette
Nice
Nolen

Richardson
Payne
Ramey

Selman
Steagall
Summerlin

Thomas
Vacca
Ward

—33

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report.

By Mr. Robison:

S.J.R. 17. Be it resolved by the Senate, the House concurring, that S.B. No. 71 which has passed both Houses of the Legislature of Alabama be known as the Robison, Nolen, Dawkins, Hall and Goodwyn Bill.

And S.J.R. 17 was concurred in and adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 259. To authorize the execution of any bonds, notes, or other obligations for the payment of money by any city or town of this State, with an engraved, imprinted, stamped or otherwise reproduced facsimile of any signature, seal or other means of authentication, certification or endorsement required or permitted to be recorded thereon.

Also:

H. 16. To amend an Act of the Legislature of Alabama approved September 11, 1953; (Acts of Alabama regular session, 1953, Vol. 2, Page 832). To re-divide the State into judicial circuits to create the thirty-second Judicial Circuit and to provide for a Circuit Judge and Circuit Solicitor of the newly created circuit.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 26. Relative to a Committee from Alabama be authorized to confer with a similar Committee from Georgia for the purpose of working out a more equitable boundary line between the two States.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

My Mr. McNider:

H.J.R. 38. WHEREAS, there will be dedicated on July 1, 1955, a new generating plant of the Alabama Electric Cooperative, Inc., located at Gantt, Alabama; and,

WHEREAS, said cooperative has decided to honor its president, Maury A. McWilliams, by naming said plant the Maury A. McWilliams Power Plant; and,

WHEREAS, the construction of such plant is a great step forward in the industrialization of Southeast Alabama and is a boon to the farm life of the State of Alabama; and,

WHEREAS, Maury A. McWilliams has for a number of years been a leader of the rural people of Alabama in supplying themselves with electricity,

Now Therefore, be it resolved by the House of Representatives, the Senate concurring, that:

1. The Legislature takes notice of the dedication of the Maury A. McWilliams Power Plant and congratulates the rural people of South Alabama on that happy occasion.

2. That the Clerk of the House of Representatives is instructed to forward copies of this resolution to Alabama Electric Cooperative, Inc., Andalusia, Alabama, and to Maury A. McWilliams, Prattville, Alabama.

On motion of Mr. McNider the rules were suspended and H.J.R. 38 was adopted.

NOTICE IN WRITING

Mr. Jenkins offered the following:

As a point of personal privilege I desire that my name as co-author be stricken from House Bill No. 28.

And it was so ordered.

NOTICE IN WRITING

Mr. Thomas offered the following Notice in Writing:

On the last legislative day when House Bill 110 (truck weight bill) was up for passage, I had an agreement with Mr. Molette to pair with him. I failed to announce this pair. If Mr. Molette had been present, he would have voted "nay".

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Robison:

S. 155. For the relief of Perry Cumbie of Montgomery, Alabama.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 155. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 356. To alter, rearrange, and extend the boundaries of the City of Selma in Dallas County.

Also:

H. 395. To provide for meetings and times of meetings of the governing body of any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding Federal census.

Also:

H. 357. To amend Section One of an Act entitled "An Act to allow the Sheriff of DeKalb County, Alabama, an additional Deputy Sheriff to that now provided by law, to fix the salary of said deputy and to make same payable out of the general fund of DeKalb County in monthly installments," said Act being Act No. 715, approved by the Governor, September 5, 1951.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Allen:

S.J.R. 31. Resolved by the Senate of Alabama, the House of Representatives concurring, that H.B. 16, which has passed both Houses, be designated and known as "The Allen, Davis Bill."

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Davis the rules were suspended and the House concurred in and adopted the S.J.R. 31 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Tate:

S. J. R. 30. Whereas, duly authorized officers of the State have reserved certain areas around the capitol for the convenience of members of the Legislature, and each member has been supplied a tag to be attached to his automobile to identify it as a vehicle which may be parked within a reserved area; and

Whereas, parking restrictions cannot be adequately enforced unless these tags are affixed and used for the purpose intended; and

Whereas, many unauthorized persons are parking in the areas reserved for the use of members, and some members are being inconvenienced thereby:

Be it resolved by the Senate, the House of Representatives concurring, that each individual member is urged to use the tag supplied him for the purpose for which it was issued, and that the capitol police and the officers in charge of the capitol police be urged to enforce the restrictions imposed relative to parking around the capitol to the end that all members will be able to enjoy the convenience which has been provided for them.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The S.J.R. 30 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Mr. Thomas:

H.J.R. 39. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, THAT when the two houses adjourn on Friday, July 1, they adjourn to meet again on Tuesday, July 12, and that the recess will be taken without pay.

The motion of Mr. Thomas to suspend the rules in order to bring up for immediate consideration the above and foregoing H.J.R. 39 was adopted.

Mr. Wood offered the following amendment to the resolution, H.J.R. 39:

Amend House Joint Resolution 39 as follows:

Delete the words "and that the recess will be taken without pay".

On motion of Mr. Brown (Lee) the amendment offered by Mr. Wood was laid upon the table.

Yeas 75; Nays 17.

Yeas:

Messrs.	Brewer	Crook	Edwards (Jefferson)
Adams	Brown (Lamar)	Dawkins	Faulk
Albea	Brown (Lee)	deGraffenried	Franklin
Ashworth	Callahan	DeSear	Gilchrist
Branyon	Cox	Dickson	Gist

Goodwyn	Johnson (Elmore)	McNider	Pruitt
Grouby	Johnson (Tallapoosa)	Martin	Ramey
Hain	Kaul	Mathews	Richardson
Hall	Kendall	Meeks	Roberts
Haltom	Killough	Molette	Solomon
Hanby	Lackey	Money	Speaks
Hardy	Law	Nettles	Steagall
Hare	Lee (Barbour)	Nice	Stembridge
Harrison	Lee (Lawrence)	Nolen	Stokes
Harvey	Locke (Choctaw)	Oakley	Summerlin
Hodges	Locke (Perry)	Oden	Thomas
Holliman	McClendon	Payne	Vacca
Hunt	McKay	Perry	Ward
Jenkins	McLendon	Pirkle	Windle

—75

Nays:

Mr. Speaker	Davis	Gregory	Murphy
Brassell	Dement	Hawkins	Simon
Broadfoot	Edwards (Escambia)	Kelly	Taylor
Brooks	Ferrell	Kirkham	Wood
Cornett			

—17

And the resolution, H.J.R. 39, was lost.

BILLS ON SECOND READING

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 343. To amend Section 95 of Title 36 of the Code of Alabama of 1940, (pertaining to the "Guest" statute).

S. 98. To amend Sections 96, 97 and 100 of Title 45, Code of Alabama 1940.

H. 393. To provide for time of trial or dismissal of charges pending against defendants or charges filed against defendants who are serving sentences in the penitentiary.

H. 417. To amend further Section 91 of Title 8, Code of Alabama (1940), which relates to licenses to capture and kill fur-bearing animals.

H. 474. To amend Section 6, Title 13, Code of Alabama 1940.

H. 475. To provide procedure in certain equity suits for bringing in as parties defendant persons not known to be living or dead, and making the decree binding on defendant if living and on his heirs and successors in interest if such person is dead at filing of suit.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 384 (with amendment). Relating to elections; authorizing, directing and requiring the regular grand jury required by law to be empaneled in each county in the State to investigate and examine certain ballot boxes and voting machines used at each election for the purpose of com-

paring the number of ballots in the ballot boxes and the number of votes recorded on the county mechanism of the voting machines, including irregular and challenged ballots, with the number of votes recorded on the statements of canvass and declaration or certificates of result which are required by law to be made by persons conducting an election; and regulating such investigation and examination.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 485. To amend Section 4 of Act No. 46, General and Local Acts 1949, page 68, approved June 2, 1949, entitled "An Act to authorize the incorporation in any county in this state of a public corporation for hospital purposes; to provide the method of effecting the incorporation of such a corporation and electing the members of its board of directors; to specify the powers of such board of directors and the powers of such corporation; to authorize the issuance by such corporation of securities and the mortgage and pledge of its properties and revenues as security therefor; to provide that securities of such corporation shall be negotiable instruments and shall be eligible for investment of trust funds; to exempt from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of such corporation; to provide for the dissolution of such corporation; and to authorize the county in which such corporation may be organized and any municipality located in such county to transfer and convey to such corporation without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes," and to amend Section 6 of said Act No. 46, General and Local Acts 1949, page 68, approved June 2, 1949, entitled as aforesaid, as amended by Act No. 57, General Acts 1955, Special Session, approved March 7, 1955, entitled "An Act to amend Section 6 of Act No. 46, S. 154, approved June 2, 1949, an act which authorizes the incorporation in any county of a public corporation for hospital purposes (1949 Acts 68)."

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 307 (with substitute). To exempt gasoline sold to cities and towns for use in fire trucks, police vehicles, and any and all other municipally-owned motor vehicles from the gasoline excise tax levied in Section 647 of Title 51, Code of Alabama (1940), as amended.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 111. Making an appropriation to the Board of Trustees of the Cahaba Historical Commission.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House, without recommendation, and it was read a second time and placed on the Calendar, to-wit:

H. 442 (without recommendation). Authorizing the several municipalities within this state to impose an excise tax on local exchange telephone service, in an amount not to exceed three per cent on such

service furnished within the corporate limits and in an amount not to exceed one and one-half per cent on local exchange telephone service furnished within the police jurisdiction; providing that the tax shall be collected from the purchaser of such service; providing for certain exemptions; providing for the method and manner and time of collecting and remitting such tax; and providing when this act shall take effect.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 427 (with amendment). To amend Sections 661 and 669 of Title 7, Code of Alabama, 1940, which relate to exemption of homesteads from administration and payment of debts.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 477. To Amend Section 2 of Title 51 of the Code of Alabama of 1940, which Relates to Exemptions from Ad Valorem Taxation.

S. 9. To regulate further the compensation of the judges of the circuit courts in all circuits composed of two counties when the judge is required by law to hold at least two terms of court at two different places in at least one of such counties during any one year; providing for a supplement to the salary of the judge payable by the counties composing the circuit.

H. 376. To regulate further the purchasing of supplies, materials and equipment for the use of state agencies and institutions which do not make purchases through the division of purchases and stores of the state department of finance.

H. 96. To authorize and direct the State Board of Agriculture and Industries to acquire, equip, operate and maintain as a state market a poultry processing plant in Walker County, Alabama, and to appropriate public funds for such purpose.

H. 486. To amend Sections 3, 4 and 5 of Act No. 515, H. 93, approved July 9, 1945 (General Acts 1945 p. 734) as amended, which relates to the Employees' Retirement System of Alabama.

H. 434. To amend Sections 368 and 369 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

H. 435. To amend Section 8, and Section 12 of Act 515, H. 93, approved July 9, 1945, (General Acts 1945, page 734) as amended, which relates to the Employees' Retirement System of Alabama.

S. 83. To amend Title 22, Section 199, Code of Alabama 1940, as amended, which relates to care and treatment of tubercular patients.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 456 (with amendment). To make an appropriation in the amount of \$6,500, or so much thereof as may be necessary, to the Department of

Industrial Relations for the purchase of equipment and supplies for the Division of Safety and Inspection within said Department, which appropriation shall be in addition to any and all other appropriations heretofore made for said Department for the fiscal year October 1, 1954-September 30, 1955.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 432. For the relief of Perry Cumbie of Montgomery, Alabama.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House, with substitute and without recommendation and it was read a second time and placed on the Calendar, to-wit:

H. 251 (with substitute and without recommendation). Providing for the regulation of the practice of ophthalmic dispensing; authorizing the issuance of certificates to registered qualified ophthalmic dispensers and ophthalmic technicians who are employed by Ophthalmic Dispensers creating an examining board to determine their respective qualifications and conferring powers and duties thereupon; and providing for penalties for violations of the provisions hereof.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 350 (with amendment). To fix the compensation of certain State Officers.

Mr. Summerlin Chairman of the Standing Committee on Education reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 296 (with substitute). Relating to the public schools: To establish a modern placement system whereby pupils may be so assigned to the various public schools of the state as to promote the full development and utilization of the individual talents of the pupils, and to implement this system by providing for each school attendance district a board of placement, members of which shall be judicial officers of the State authorized to make determinations respecting the rights of school pupils in that district; providing for the appointment, term of office, and compensation of members of such boards, authorizing appeals from decisions of such boards, and directing city and county superintendents of education and city and county boards of education to furnish certain assistance to the boards of placement.

Mr. Solomon Chairman of the Standing Committee on Agriculture reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 479. To regulate the weighing of livestock at public livestock markets by requiring persons operating scales on which livestock are weighed for sale purposes to obtain an annual permit from the Com-

missioner of Agriculture and Industries and to be bonded for the faithful performance of their duties; to provide that livestock sold on the basis of weight at livestock markets must be weighed by a person holding a permit under the provisions of this act; to exempt certain persons from this Act; to prescribe liabilities and a penalty for violations of this Act.

H. 478. Relating to the operation of livestock markets; to amend Section 11 of Act No. 173 (S. 18) of the Legislature of 1951 approved June 29, 1951 (Acts of 1951, Vol. 1, pages 409-415) by authorizing the Commissioner of Agriculture and Industries through appropriate legal proceedings to restrain or enjoin any person from operating a livestock market in violation of said Act.

H. 459. To amend Section 327 of Title 2, Code of Alabama of 1940 relating to funds or fees collected by the Department of Agriculture and Industries for grading and inspection of grain.

H. 458. To create and establish a fund in the State Treasury to be designated as the Shipping Point Inspection Fund and to provide for deposits therein of certain funds, fees, costs, charges and collections; to provide for the withdrawal and expenditure of amounts deposited into the Shipping Point Inspection Fund.

H. 460. To amend Section 415 of Title 2, Code of Alabama of 1940 relating to funds or fees collected by the Department of Agriculture and Industries for grading and inspection of agricultural products.

H. 461. To provide for the accurate weighing of agricultural products by the State Department of Agriculture and Industries by authorizing the Commissioner of Agriculture and Industries to designate certain employees or agents of such department and others to perform work as weighmasters and to issue weight certificates upon being appointed as weighmasters; and to authorize the collection of fees and charges for weighing services furnished under the provisions of this Act.

Mr. Adams Chairman of the Standing Committee on Local Government reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and they were severally read a second time and placed on the Calendar, to-wit:

H. 311 (with substitute). To amend further Section 397 of Title 37 of the Code of 1940 relating to Board of directors.

H. 312 (with substitute). To amend further Section 402(17) of Title 37 of the Code of 1940 relating to Board of directors.

Mr. Adams Chairman of the Standing Committee on Local Government reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 496. To amend Section 3 of Act No. 775, S. 274, approved September 11, 1951 (Acts of 1950-51, Vol. II, p. 1359), an Act providing for the creation and organization of a Board of Water and Sewer Commissioners by any city in the State for the purpose of owning, operating and financing a water system or sewer system or both such systems.

H. 323. To amend further Section 462 of Title 37 of the Code of 1940 relating to publication and recording of ordinances.

H. 329. To authorize and make provision for the incorporation in any municipality in this state of one of more public corporations for the purpose of acquiring, constructing, enlarging, equipping, improving,

maintaining, and operating buildings for use by the municipality in which any such corporation shall be organized in the performance of the municipal functions of such municipality; to provide for the election of the directors and officers of each such corporation; to specify its powers; to authorize it and the municipality in which it is organized to enter into leases covering properties of such corporation and to specify requirements respecting such leases; to declare the securing and supplying of reasonable and adequate building, office and storage facilities for the officers, courts, jails, departments, and agencies of the municipality performing municipal duties to be an essential governmental function of the municipality and the rentals payable by the municipality for such purpose to constitute a necessary governmental operating expense of the municipality; to prohibit the municipality in which any such project is located from leasing, or renewing any then existing lease with respect to, any office or storage space in any other buildings located in or about the municipality in which any such project is located while office or storage space is available in such project; to authorize the issuance by such corporation of interest bearing revenue bonds payable solely out of the revenues from the project with respect to which they are issued; to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge of such revenues, lease and rentals by mortgage on the project from which the revenues so pledged shall be derived; to specify the use to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from taxation the properties of said corporation and the income from the leases made with respect thereto, said bonds and the income therefrom, and said leases and mortgages; to authorize investment of idle and surplus funds of the municipality in said bonds; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge and mortgage the proceedings authorizing the same; to authorize the transfer to said corporation, with or without consideration, of properties owned by the municipality whether or not they are necessary for the conduct of governmental or other public functions of the municipality; to provide for the vesting in the municipality of title to each project of said corporation as and when bonds which are payable, in whole or in part, from the revenues derived from such project shall have been paid in full; and to provide for the dissolution of said corporation.

Mr. Adams Chairman of the Standing Committee on Local Government reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 330 (with substitute). To confer on each city in this state having a population of 6,000 or more inhabitants according to the last preceding or any subsequent federal census, or any official census taken pursuant to Article 3 of Chapter 10 of Title 37 of the Code of Alabama of 1940, the same powers for the construction of, and the issuance of securities to finance, street and sidewalk improvements and sewer improvements outside of the corporate limits of such city and within its police jurisdiction as it may have under any law now existing or hereafter enacted respecting the construction of, and the issuance of securities to finance, any such improvements within the corporate limits of such city; to confer on each such city the same powers to assess the cost of any such improvements, whether constructed within the city or outside the city and within its police jurisdiction, against the properties specially bene-

fited by such improvements whether such properties are located in such city or outside such city and within its police jurisdiction, that it may have under any law now existing or hereafter enacted respecting the assessment against properties located in such city of the cost of such improvements constructed in such city; to confer on each such city the power to finance any such improvements, constructed outside the city and within its police jurisdiction, by the sale and issuance of bonds payable solely out of the proceeds from assessments against the properties specially benefited by such improvements; and to repeal Act No. 884 adopted at the 1953 Regular Session of the Legislature of Alabama.

Mr. Adams Chairman of the Standing Committee on Local Government reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 331. (with amendment) To amend an Act approved July 6, 1945, entitled "An Act to provide for and regulate the conduct of elections in towns and cities other than those towns and cities which have a commission form of government" (Act No 465, S. 29, General Acts of Alabama, 1945, p. 699).

Mr. Adams Chairman of the Standing Committee on Local Government reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 436. To amend Sections 7 and 8 of Title 25, Code of Alabama (1940), which relate to the creation of municipal housing authorities.

Mr. Adams Chairman of the Standing Committee on Local Government reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 443 (with amendment). To amend Section 587 of Title 37, Code of Alabama (1940), which relates to appeals from recorder's court.

Mr. Adams Chairman of the Standing Committee on Local Government reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 95. Relating to elections: to provide that the State shall reimburse a county either in whole or in part for the expenses incurred in holding and conducting certain elections, and appropriating funds for that purpose.

Mr. Murphy Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 490. Relating to counties having a population of not less than twenty two thousand (22,000) nor more than twenty three thousand (23,000) inhabitants according to the 1950 census of the United States; Providing for the disbursement of gasoline tax moneys received from the State on a county-wide basis under the direction of the county governing body and the supervision of the county engineer for the establishing, constructing, repairing and maintenance of county roads and bridges; powers and duties of the county engineer; designating the

Judge of Probate, Chairman of Court of County Commissioners, as Purchasing Agent for the county; regulating the purchase of supplies, materials, equipment and contractual services in such county; placing County Commissioners on salary.

H. 491. Relating to Pike County; abolishing the fine and forfeiture fund, providing for transfer of the money held in such fund to the general fund of the county, providing that all revenues accruing to the fine and forfeiture fund of said county as provided by law shall hereafter be paid into the general fund of the county and that all claims which are registered against or payable out of the fine and forfeiture fund, as prescribed by law, shall be paid out of the general fund of the county, and repealing an Act entitled "An act to regulate the fine and forfeiture fund of Pike County, Alabama, and provide for the registration and payment of claims against said fund." (Act No. 343, Approved September 17, 1919, Local Acts, 1919, page 138).

H. 492. Relating to Pike County; proposing an amendment to the Constitution of Alabama to provide that the Legislature may from time to time, by general or local laws, fix, alter and regulate the costs and charges of courts in Pike County and the method of disbursement thereof.

The above bill was read a second time at length as required by the Constitution.

H. 493. To amend Section 1, of Act No. 311, approved July 31, 1951, as amended by Act No. 14, approved February 15, 1955, which fixes the compensation of the Sheriff in counties of more than 96,000 population and less than 140,000 population, according to the last Federal census or any subsequent Federal census and provides for help and assistance and other expenses necessary to the conduct of the office of Sheriff, by providing for the appointment of the Chief Deputy independently from the Merit Board roster in those counties under this Act having a Merit System.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Lee (Barbour), Hawkins and Dawkins:

H. 505. To make an appropriation to the State Military Department for the purpose of paying the cost of sending the 31st Division (The Old Dixie Division) Band to Boston to participate in the festivities of the 1955 National Convention of Veterans of Foreign Wars.

Ways and Means.

By Messrs. Thomas, McClendon and Ramey:

H. 506. To Amend Section 3 of an Act Entitled "An Act to Regulate the Handling, Sale and Distribution of Barbiturates" approved August 15, 1947 (General Acts of 1947, Page 179.)

Health.

By Messrs. Thomas, McClendon and Ramey:

H. 507. To Amend Section 232 of Title 22 of the Code of Alabama of 1940, as Amended:

Health.

By Messrs. Thomas, McLendon, Lee (Barbour) and Franklin:

H. 508. Proposing amendments to the Constitution of 1901 relating to representation in the Legislature.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Ashworth and Gist:

H. 509. To abolish the Alcoholic Beverage Control Board created by Chapter 1, Title 29, Code of Alabama (1940), and provide for the liquidation of the State Alcoholic Beverage Control System.

Ways and Means.

By Mr. Pirkle (with notice and proof):

H. 510. Relating to Cleburne County: To regulate the compensation of the county superintendent of education.

Local Legislation No. 1.

Notice and Proof H. 510:

**STATE OF ALABAMA
COUNTY OF CLEBURNE**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Cleburne County: To regulate the compensation of the county superintendent of education.

BE IT ENACTED BY THE LEGISLAUTRE OF ALABAMA:

Section 1. The county superintendent of education of Cleburne County shall receive such salary as the county board of education shall direct, but not exceeding five thousand dollars (\$5,000) per annum.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its ctherwise becoming a law.

5-28-4tc(cc)

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF CLEBURNE**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Fred Eiland, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Cleburne News, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 28, June 2, June 9, and June 16, all in the year 1955.

FRED EILAND.

Sworn to and subscribed before me June 16, 1955.

**JEAN M. HICKS,
Notary Public.**

By Mr. Huddleston (with notice and proof):

H. 511. Relating to Colbert County: To abolish the office of county commissioner of public schools, establish and restore the office of county superintendent of education, provide for the election of a county superintendent of education, fix his term of office, prescribe his qualifications, provide for his compensation and allowances, and define and prescribe his functions and duties; repealing Act No. 227 approved July 24, 1953, as passed at the 1953 Regular session of the Legislature, Act No. 72, H. 2, approved April 13, 1955, and all other laws or parts of laws in conflict with this Act; providing for a referendum election by the qualified electors of Colbert County to pass upon the question of whether they favor the adoption of the provisions of this Act, and providing for the election of a county superintendent of education to fill the vacancy that will exist in the office of county superintendent of education in the event this Act is approved at such referendum, and prescribing his qualifications.

Local Legislation No. 1.

Notice and Proof H. 511:

NOTICE

Notice is hereby given that a local bill as advertised hereinbefore, in substance, will be introduced in the regular session of the Alabama Legislature.

A BILL TO BE ENTITLED AN ACT

Relating to Colbert County: To abolish the office of county commissioner of public schools, establish and restore the office of county superintendent of education, provide for the election of a county superintendent of education, fix his term of office, prescribe his qualifications, provide for his compensation and allowances, and define and prescribe his functions and duties; repealing Act No. 227 approved July 24, 1953, as passed at the 1953 Regular Session of the Legislature, Act No. 72, H. 2, approved April 13, 1955, and all other laws or parts of laws in conflict with this Act; providing for a referendum election by the qualified electors of Colbert County to pass upon the question of whether they favor the adoption of the provisions of this Act, and providing for the election of a county superintendent of education to fill the vacancy that will exist in the office of county superintendent of education in the event this Act is approved at such referendum, and prescribing his qualification.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The office of county commissioner of public schools created by Act No. 227, approved July 24, 1953, as passed at the 1953 Regular Session of the Legislature, is hereby abolished, and the office of county superintendent of education is established and restored in Colbert County.

Section 2. The superintendent of education of Colbert County shall have the same powers and authority and perform the same duties and functions as are conferred upon county superintendents of education by Title 52 of the 1940 Code of Alabama, as amended, and all other general laws of this State.

Section 3. The superintendent of education of Colbert County shall be elected at the general election to be held on the first Tuesday after the first Monday in November, 1956, and at the general election every fourth year thereafter, by the qualified electors of Colbert County,

and shall hold office for a term of four years, beginning on the first day of July following his election, and until his successor is elected and qualified.

Section 4. The superintendent of education of Colbert County shall possess the same qualifications and shall receive the same salary, compensation, and allowances as are now required and provided by law; and his official bonds shall be fixed and approved in the manner provided by Section 76, Title 41, Code of Alabama (1940), as amended.

Section 5. Act No. 227, approved July 24, 1953, as passed at the 1953 Regular Session of the Legislature of Alabama, the Act abolishing the office of county superintendent of education, and creating the office of county commissioner of public schools in lieu thereof, providing for the election, term of office, duties and powers, and compensation of the county commissioner of public schools, and conferring upon the commissioner the powers, duties and functions of the county school building commission, and Act No. 72, H. 2, approved April 13, 1955, and all other laws and parts of laws in conflict herewith, are hereby repealed.

Section 6. This Act shall not become operative unless a majority of the qualified electors of Colbert County voting in the election hereinafter provided for shall favor the adoption of the provisions of this Act. For such purpose, a referendum election is hereby called for, and shall be held in Colbert County on the second Tuesday after the expiration of thirty days from the date of this enactment. At least thirty days' notice of such election shall be given by the sheriff of Colbert County before the date of said election. Such notice shall be published one time in a newspaper published in the county, and the cost thereof shall be paid by the county. Except as herein otherwise provided, said election shall be held and conducted, the returns thereof made, the votes canvassed, the results declared, certificate given, and it shall be regulated in all respects in accordance with the provisions of the laws of Alabama relating to general elections. On the ballots to be used at the election the question shall be: "Do you favor the adoption of the provisions of Act No., H., by Huddleston, approved, 1955?" (The appropriate numbers and date of Act to be inserted).

If a majority of the votes cast at such election shall be in favor of the proposal to adopt the provisions of this Act, the Act shall become effective immediately upon the filing of the declaration of the results of the election in the office of the probate judge, but if a majority of the votes cast at such election shall be against said proposal, this Act shall have no further effect.

In order to fill the vacancy that will exist in the office of superintendent of education of Colbert County in the event this Act is approved at the referendum election herein provided for, an election shall be held on the same day as such election, at the same time, by the same election officials, to elect a superintendent of education to hold office until his successor is elected and takes office in accordance with the provisions of Section 3 of this Act. Notice thereof shall be given as in the case of the referendum election. Any qualified elector of Colbert County who has had at least three years of experience as a teacher, principal, or superintendent of education in the public school system in Colbert County may qualify as a candidate for election to fill such vacancy, and shall be eligible to hold such office if elected, notwithstanding the fact that he may not possess the qualifications prescribed in Section 103 of Title 52 of the Code of Alabama (1940), as amended. The probate judge of said county shall cause to be printed on the ballots to be used at the election the names of all the candidates who have been put in nomination by any caucus, convention, mass meeting, or other assembly of any

political party or faction in this State, and certified in writing and filed with him not less than twenty-seven days prior to the day of the election, but such election shall be non-partisan and political party labels and emblems shall not be printed on the ballots. The probate judge shall also cause to be printed on the ballots the name of any candidate who files with him a declaration of his candidacy not less than twenty-seven days prior to the date of the election. Such declaration shall contain the name and address of the candidate and a statement, under oath, that the candidate is a qualified elector of Colbert County and possessed of the qualifications for holding the office as provided in this Act; and such declaration so filed shall be deemed sufficient for the purposes of this Act. If no candidate receives a majority of the votes cast at such election, a run-off election for such office shall be held on the fifth Tuesday following the date of the first election, at which the two candidates receiving the greatest number of votes in the first election shall be candidates.

The election shall be conducted, returns made, and the votes canvassed, results declared and certificates given in the same manner provided by general laws for the conduct of elections for other county officers, except as otherwise herein provided.

The county superintendent of education elected at the special election herein provided for shall take office immediately and serve until his successor is elected and qualified as provided in Section 3 of this Act, if this Act is approved by a majority of the electors voting at the referendum election.

In the event the judge of probate of the county is unable, or neglects, fails, or refuses to perform the duties herein prescribed, the duties, responsibilities, and authority of the judge of probate shall devolve upon the presiding judge of the circuit court of the county.

BERRY L. CANTRELL, State Senator.
HARRY J. HUDDLESTON, Representative.

May 20-27-June 3-10-17c

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared L. H. Baker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Standard and Times, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 27th, June 3rd, June 10th, and June 17th, all in the year 1955.

L. H. BAKER.

Sworn to and subscribed before me 17th day of June, 1955.

SUE H. NATHAN,
Notary Public.

By Mr. Hawkins:

H. 512. To provide for the submission of civil suits filed at law for judgment on the pleadings; to define pleadings as used herein; to allow the court to fix a time-limit for filing of subsequent pleadings and to enter a judgment nil dicit, dismiss the suit, or impose terms for

failure to do so; and also to deny further pleadings after the cause is at issue and placed on the trial docket except by permission of the court on such terms as the court may impose, but not to deny the filing of amended pleadings during the progress of the trial as provided by law.

Ways and Means.

By Messrs. Dawkins and Hawkins:

H. 513. To provide that the probate judge of each county shall report to the State Department of Revenue changes in ownership of real property in his county; to provide for the effective date of this act.

Ways and Means.

By Messrs. Dawkins and Hawkins:

H. 514. To amend Section 129, Title 51, Code of Alabama 1940 by also providing therein that all hearings conducted by the State Department of Revenue under the powers and authority given it by law, as to the assessment of all taxes, license taxes, and licenses, as well as hearings held or conducted by said department as to the revocation of any license or permit over which it has jurisdiction under any law, and also any other hearings which by law the State Department of Revenue is authorized and empowered to hear, shall be conducted in the principal offices of the State Department of Revenue at Montgomery, Alabama; and the department shall sit as a court for the purpose of such hearings, and its orders, decrees, and assessments made and rendered in all such cases shall be conclusive and final unless appealed from as is provided by law. That all subpoenas and other writs of process which the State Department of Revenue has authority to issue, shall also be returnable to the department, and to its principal office at Montgomery, Alabama, and to provide for the attachment of witnesses who fail or refuse to appear.

Ways and Means.

By Messrs. Dawkins and Hawkins:

H. 515. To amend Sections 688 and 689 of Title 51, Code of Alabama 1940, to delete from Section 688 and specific reference to barge lines operating in this state, and also by including within the scope of such section all petroleum products or substitutes or devices therefor. And by amending Section 689, by also including within the scope of that section all petroleum products and substitutes and devices therefor.

Ways and Means.

By Messrs. Dawkins and Hawkins:

H. 516. To amend Section 10 of Act No. 590 of the General Session of the Legislature of 1939, approved June 27, 1940 (General Acts of 1939, page 960), and said Act as amended, by also providing in said Section of said Act that a license and bond shall be required of all persons who deliver or cause to be delivered, or who receive or who manufacture or who refine diesel fuels, and all other motor fuels, with the exception of gasoline, and also all other petroleum products in this state, whether such petroleum products are used on the highways to propel a motor vehicle thereon or not, in order that the State of Alabama may better account for the use and distribution of said motor fuels or other petroleum products or any substitutes or devices therefor within the State of Alabama.

Ways and Means.

By Messrs. Dawkins and Hawkins:

H. 517. To amend Section 630 of Title 51, Code of Alabama 1940 to change the definition of the term "Lubricating Oil".

Ways and Means.

By Messrs. Dawkins and Hawkins:

H. 518. To amend Section 176 of Title 51 of the Code of Alabama 1940 relating to the taxing of freight lines and equipment companies.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 519. To amend Section 354 of Title 51 of the Code of Alabama 1940, relating to the due rate of Franchise Tax.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 520. To amend Section 345 of Title 51 of the Code of Alabama 1940, relating to Foreign Corporation Permits.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 521. To amend Section 346 of Title 51 of the Code of Alabama 1940, relating to Domestic Corporation Permits.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 522. To repeal Act 527, of the regular session of the 1953 Legislature relating to Qualification of Foreign Corporations.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 523. To amend Section 94, as amended, of Title 51, Code of Alabama 1940.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 524. To amend Section 89, as amended, Title 51, Code of Alabama 1940.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 525. To amend Section 390, Title 51, Code of Alabama 1940.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 526. To amend Section 412, Title 51, Code of Alabama 1940, as amended.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 527. Relating to revenue; amending Section 585 of Title 51, Code of Alabama 1940, which prescribes the License Tax for Operators of Saw Mills, Heading Mills, and Stave Mills.

Ways and Means.

By Messrs. Dawkins and Hawkins:

H. 528. To amend Section 542, Title 51, Code of Alabama 1940, as amended, which relates to Privilege Licenses on Linen Supplies and Diaper Service.

Ways and Means.

By Messrs. Dawkins and Hawkins:

H. 529. To repeal and abrogate in its entirety Section 458 of Title 51, Code of Alabama 1940, levying a privilege license tax on the operators of amusement parks.

Ways and Means.

By Messrs. Dawkins and Hawkins:

H. 530. To provide for a better method of procedure in the assessment of privilege, occupational, and motor vehicle licenses and other licenses, interest, penalties and lawful fees, pursuant to the authority given the Department of Revenue under Title 51, Section 131, Code of Alabama 1940, and particularly as authorized under Subsections (A) and (P) of Section 131, Supra, by providing for the time and manner of making said assessments, the method of giving notice of same, and providing for hearings, and notice of such hearings, and the final disposition of same which Act to be known and to be incorporated in the Code as Section 831 (1), of Title 51, Code of Alabama 1940, as amended.

Ways and Means.

By Messrs. Dawkins and Hawkins:

H. 531. To amend Section 18 of the Alabama Mileage Tax Act, designated as Act No. 664, H. 791, General Acts of Alabama of 1939, approved July 5, 1940 (General Acts of Alabama 1939, page 1051 et seq.) and said Act as amended, by providing in Section 18 of said Act, Supra, that the bond required therein shall not exceed in any case the amount of five thousand dollars.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 532. To amend Section 666, Title 51, Code of Alabama 1940, by changing the definition of a distributor contained therein.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 533. To provide that a violator of the Use Tax Laws, Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended, may be restrained from continuing in business.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 534. To amend Title 51, Section 754, Code of Alabama 1940 which relates to the Sales Tax and the issuance of a license and to provide for the cancellation thereof and to authorize a circuit judge having jurisdiction to restrain a taxpayer from conducting any further business subject to the Sales Tax Law upon the cancellation of such license; to amend Section 765, Title 51, Code of Alabama 1940 which relates to the Sales Tax and authorizing the department to estimate the tax due where no return is made and providing penalties therefor; and to amend Section 766, Title 51, Code of Alabama 1940, as amended by Act No. 304, General Acts 1951, page 597. which relates to the incorrect payment of sales tax.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 535. To provide that any agent of the State Department of Revenue when duly appointed by the Commissioner of Revenue shall have the powers of peace officers and the authority to serve writs of process and levy on and sell property on executions issued by the State Department of Revenue; to provide that laws prescribing fees for such acts and services when performed by sheriffs and other peace officers are not applicable to such agents; to provide for the giving of bonds by such agents; to provide for an effective date of this Act.

Ways and Means.

By Messrs. Dawkins, Simon, Goodwyn, Nolen, Hall, Davis, Selman, Shumate, Haltom, Roberts, Kelly, Huddleston, Reynolds, Perry, Meeks,

Nice, Broadfoot, Law, Dement, Oden, Lee (Lawrence), Gregory, Gist, Speaks, Johnson (Elmore), deGraffenried, Murphy and Tyson:

H. 536. To amend Section 133 of Title 51, Code of Alabama (1940), which relates to the equalization of assessed property valuations among the counties.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 537. To make an appropriation to pay the expenses of the Legislature.

Ways and Means.

By Mr. Oden:

H. 538. To amend Section 144 of Title 15, Code of Alabama (1940), which relates to the taking of bail by the sheriff when a person is committed to jail for a bailable offense.

Judiciary.

By Mr. Oden:

H. 539. To provide that the judge of probate of each county shall be entitled to five cents per name for revising the list of registered voters to comply with Section 138 of Title 17, Code of Alabama (1940), upon a change being made in an election precinct or district, to be paid out of the county treasury.

Judiciary.

By Messrs. Meeks, Vacca, Kaul, Perry, Nice, Edwards (Jefferson) and Lackey (with notice and proof):

H. 540. Relating to that portion of Powell Avenue in the City of Birmingham lying between the west line of Thirty-second Street if projected across said Powell Avenue and the east line of Twenty-eighth Street if projected across said Powell Avenue.

Local Legislation No. 2.

Notice and Proof H. 540:

NOTICE

Notice is hereby given, without cost to the State, by publication in Jefferson County, Alabama, where the matter or thing to be affected is situated, of intention to apply at the present session of the Legislature of Alabama for introduction and passage of a bill, the substance of which, as distinguished from detail, is and will be the substance, as distinguished from detail, of the following:

A BILL TO BE ENTITLED AN ACT

Relating to that portion of Powell Avenue in the City of Birmingham lying between the west line of Thirty-second Street if projected across said Powell Avenue and the east line of Twenty-eighth Street if projected across said Powell Avenue.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The segment of Public street hereinafter described having been never heretofore opened, developed or used for public street purposes, the governing body of the City of Birmingham shall have authority to close or keep closed to the public for public street purposes all or any part of that certain segment of Powell Avenue in the City of Birmingham which lies between the west line of Thirty-second Street if projected across said Powell Avenue and the east line of Twenty-eighth

Street if projected across said Powell Avenue until such time as in the judgment of said governing body such segment or part thereof shall be needed for public street purposes, and to use for any municipal purpose, or to let or lease for any lawful purpose or purposes, all or any part of such segment during all or any part of such period of closure or until in the judgment of said body the same shall be needed for public street purposes.

Section 2. The authority hereinabove granted said governing body shall be subject to the rights of owners of property abutting the afore-said segment of said Powell Avenue, and nothing herein contained shall be construed to intend to impair or to authorize impairment of any right of any owner of any such abutting property.

Messenger—May 14, 21, 28; June 4, 1955.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of May 14, 21, 28; June 4, 1955, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE.
Publisher.

Sworn and subscribed to on this the 4th day of June, 1955.

MYRTLE P. LITTLE,
Notary Public.

By Messrs. Meeks, Vacca, Kaul, Perry, Nice, Edwards (Jefferson) and Lackey (with notice and proof):

H. 541. To provide for the relief of Margaret Webb, out of the General Funds of Jefferson County, Alabama.

Local Legislation No. 2.

Notice and Proof H. 541:

LEGAL NOTICE

Notice is hereby given of intention to apply at the regular session of the Legislature of Alabama which will convene in Montgomery, Alabama, on Tuesday, May 3, 1955, for enactment of the following law.

W. D. KENDRICK, President,
Jefferson County Commission.

AN ACT TO PROVIDE FOR THE RELIEF OF MARGARET WEBB, OUT OF THE GENERAL FUNDS OF JEFFERSON COUNTY, ALABAMA.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the County Commission of Jefferson County is hereby authorized to pay to Margaret Webb, the mother of former County Highway Department employee Dennis Webb, the sum of Three Thou-

sand (\$3,000.00) Dollars, for the death of her son, Dennis Webb, who died on May 27, 1954, as a consequence of his being electrocuted on said date when a certain high tension wire came in contact with him, or with the machine on which he was then situated, while acting in his line of duty for the said County, at the intersection of Holly Reed Road and Phillips Road in Jefferson County, Alabama. The said sum of money is to be paid to the said Margaret Webb out of such monies as may be constitutionally available, and it shall be the duty of the County Treasurer to pay said sum out of the general fund of said County.

Section 2. This act shall become effective immediately upon its passage or approval by the Governor, or its otherwise becoming a law. Messenger—March 26; April 2, 9, 16, 1955.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of March 26; April 2, 9, 16, 1955, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 16th day of April, 1955.

MYRTLE P. LITTLE,
Notary Public.

By Mr. Haltom:

H. 542. To amend Section 15 of Title 51, Code of Alabama (1940), which relates to the exemptions of homesteads from taxation.

Ways and Means.

By Mr. Dement (with notice and proof):

H. 543. To fix and provide for the payment out of the Limestone County general fund the compensation of the coroner for Limestone County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 543:

STATE OF ALABAMA COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To fix and provide for the payment out of the Limestone County general fund the compensation of the coroner for Limestone County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the salary of the coroner of Limestone County, Alabama, be and the same is hereby fixed at the sum of nine hundred sixty dollars (\$960.00) per annum, which shall be payable out of the general fund of Limestone County, Alabama, in monthly installments of eighty dollars (\$80.00) each, commencing on the first day of the month after the passage of this Act. Such salary shall be in lieu of all fees, commissions, percentages, and allowances accruing to the coroner, except the mileage allowance provided in Section 94 of Title 11, Code of Alabama (1940), which allowance he shall continue to receive.

Section 2. All laws and parts of laws, general, local or special, insofar as they apply to Limestone County in conflict with the provisions of this Act, be and the same are hereby repealed.

Section 3. This Act shall become effective immediately upon its approval by the Governor, or otherwise becoming a law.

June 9

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 19, May 26, June 2, and June 9, all in the year 1955.

STEELE MCGREW.

Sworn to and subscribed before me June 9, 1955.

LOLA L. ORR,
Notary Public.

By Mr. Dement (with notice and proof):

H. 544. Relating to Limestone County; to authorize the board of revenue or other county governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, not to exceed three cents per acre, against forest lands in the county; to prescribe the procedure for levying and collecting such assessment; and to provide for appeals from such assessments.

Local Legislation No. 1.

Notice and Proof H. 544:

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Limestone County; to authorize the board of revenue or other county governing body to provide protection against forest fires within the county and to assess the whole or part of the cost thereof, not, to exceed three cents per acre, against forest lands in the county; to prescribe the procedure for levying and collecting such assessment; and to provide for appeals from such assessments.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Board of Revenue or other governing body of Limestone County is authorized to provide protection against forest fires in such county by participating in the State Department of Conservation's fire protection program, and to purchase such equipment as is needed to effectuate such program, including but not limited to such pick-up trucks, tractors and plows as are required to meet the county's need for fire protection. The Board may assess the whole or any part of the cost of such fire protection, not in excess of three cents per acre, to the owners of forest land in the county; provided such assessment is not greater than the benefit accruing to such forest land due to the availability of such fire protection.

"Forest land" as used in this Act shall mean any land which supports a forest growth, or which under prevailing natural and economic conditions may be expected to support such a growth in the future, or which is being used or reserved for any forest purpose.

Section 2. The Board of Revenue shall give ten days notice of the time and place at which they shall meet to determine the need for a program to provide protection against forest fires in Limestone County, the manner of financing a fire protection program the part of the cost of such program to be assessed against owners of forest land, and the manner of assessing the cost of such protection proportionately to each parcel or tract of forest land in the county. The notice of the meeting hereby required shall be published in a newspaper published in Limestone County, and shall be posted at the county court house and in every post office within the county. Any person owning forest land in the county may appear in person or by attorney at such time and place and make defense against such assessment of the amount thereof. After such hearing the county governing body shall determine the amount of such assessment and enter on the minutes of the governing body an order fixing such assessment.

Section 3. The owner of any forest land against which an assessment is made pursuant to this Act may appeal from the assessment so made to the circuit court. Notice of appeal must be filed within thirty days after the date of the order of the board of revenue fixing the assessment with the clerk of the circuit court, accompanied by a bond approved by such clerk and conditioned to pay all the costs of the appeal. A copy of the notice of appeal must also be filed with the clerk of the board of revenue. Within ten days after the notice of appeal is filed either the property owner or the county may demand in writing a trial by jury. The circuit court shall so far as practicable hear such appeals according to the general rules and procedures of courts and shall decide all questions relative to the legality of the assessment. From the judgment of the circuit court either the property owner or the county may appeal direct to the Supreme Court of Alabama within thirty days of the rendition of such judgment. Upon such appeal to the circuit court or to the supreme Court the court shall ascertain and determine by its judgment or decree the amount of such assessment. If the assessment made by the court is greater than fixed by the board of revenue and the property owner has paid the assessment levied by the board the difference between the court's assessment and the board's assessment shall be refunded to the property owner. If the assessment fixed by the court is greater than that fixed by the board the property owner shall be liable for the payment of the full amount of the court's assessment, and such assessment shall constitute a lien on the property against which assessed which may be enforced in the same manner that liens for county taxes are enforced.

Section 4. Any assessment fixed as provided in this Act shall be payable at the same time and in the same manner as county taxes.

Assessments made pursuant to this Act shall constitute a lien on the property against which they are assessed and in case of default in the payment of such assessments the land may be sold in the same manner and under the same conditions that lands are sold for the satisfaction of liens for county taxes.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

June 9

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 19, May 26, June 2, and June 9, all in the year 1955.

STEELE McGREW.

Sworn to and subscribed before me June 9, 1955.

LOLA L. ORR,
Notary Public.

By Mr. Dement (with notice and proof):

H. 545. To propose an amendment to the Constitution of Alabama relating to Limestone County, authorizing the county governing body to levy and collect special taxes the proceeds of which shall be used to provide fire protection in the county.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

Notice and Proof H. 545:

STATE OF ALABAMA COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To propose an amendment to the Constitution of Alabama relating to Limestone County, authorizing the county governing body

to levy and collect special taxes the proceeds of which shall be used to provide fire protection in the county.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment is proposed to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

"The Board of Revenue or other governing body of Limestone County shall have the power to levy and collect a special county tax of one mill on each dollar's worth of taxable property situated within the county, based upon the valuation of such property as assessed for State taxation, the proceeds of such tax to be used exclusively for establishing and operating fire stations and providing fire protection to the persons and property in the county, and may also levy and collect a special tax not to exceed three cents per acre against all forest lands in the county, the proceeds of such tax to be used solely for the purpose of participating in the State Department of Conservation's forest fire protection program and otherwise providing protection from forest fires in the county."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

June 9

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 19, May 26, June 2, and June 9, all in the year 1955.

STEELE MCGREW.

Sworn to and subscribed before me June 9, 1955.

LOLA L. ORR,
Notary Public.

By Mr. Dement (with notice and proof):

H. 546. Relating to Limestone County: To authorize, direct and require the governing body of Limestone County to call an election in the county for the purpose of determining whether or not the county governing body may levy additional special privilege or li-

cense taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51, Code of Alabama (1940), and amendments thereto, in an amount equal to thirty-three and one-third per centum of the state levy; providing for the enforcement and collection of the tax, if imposed, and the distribution of the proceeds thereof; and prescribing the purpose for which such proceeds may be used.

Local Legislation No. 1.

Notice and Proof H. 546:

**STATE OF ALABAMA
COUNTY OF LIMESTONE**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Limestone County: To authorize, direct and require the governing body of Limestone County to call an election in the county for the purpose of determining whether or not the county governing body may levy additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51, Code of Alabama (1940), and amendments thereof in an amount equal to thirty-three and one-third per centum of the state levy; providing for the enforcement and collection of the tax, if imposed, and the distribution of the proceeds thereof; and prescribing the purpose for which such proceeds may be used.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The governing body of Limestone County is hereby authorized, directed and required to call an election of the qualified voters of the county for the purpose of determining whether or not the county governing body may impose additional special privilege or license taxes and excise taxes paralleling with like provisions in the county, such state taxes as are levied by the State of Alabama by Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51, Code of Alabama (1940), and amendments thereto, in an amount equal to thirty-three and one-third per centum of the state levy. Due notice of the election shall be given at least thirty days prior to the date the election is to be held. The election shall be held and conducted under the same laws, rules and regulations now governing elections on school district taxes, and the officers holding the election shall receive the same compensation as officers holding general elections.

Section 2. Should a majority of those participating in the election vote for the imposition of such taxes, the county governing body of Limestone County may, in its discretion, impose the taxes in the manner provided by this section.

(1) A privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against the gross sales, or gross receipts, as the case may be, as follows:

(a) Upon every person, firm or corporation engaged, or continuing within Limestone County in business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character, (not including, however, bonds or other evidences of debts or stocks), an amount equal to one percent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer, on the gross sales of the business.

(b) Upon every person, firm or corporation engaged, or continuing within Limestone County, in the business of conducting, or operating, places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games, (including athletic contests conducted by or under the auspices of any educational institution within the county, or any athletic association thereof, or other association whether such institution or association be a denominational, a state, a county, or a municipal institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within Limestone County, an amount equal to one percent of the gross receipts of any such business.

(c) Upon every person, firm or corporation engaged or continuing within Limestone County in the business of selling any automotive vehicle or truck trailer and semi-trailer, an amount equal to one-third of one percent of the gross proceeds of the sale of such automotive vehicle, truck trailer and semi-trailer.

(d) Upon every person, firm, or corporation engaged or continuing within Limestone County in the business of selling any used automotive vehicle or truck trailer or semi-trailer, where such vehicles are bought for the purpose of resale, an amount equal to one-third of one percent of the gross proceeds of the sale of said automotive vehicle or truck trailer and semi-trailer; provided, however, this subsection shall not apply to the sale of any used automotive vehicle or truck trailer or semi-trailer where it was acquired as part of the consideration for the sale, trade, or exchange, in the county of any new or used motor vehicle, truck trailer or semi-trailer.

(2) (a) An excise tax on the storage, use, or other consumption in Limestone County of tangible personal property purchased at retail on or after the date a tax is imposed under the authority of this Act for storage, use, or other consumption in the county at the rate of one percent of the sales prices of such property, regardless of whether the retailer is or is not engaged in the business in the county, except as provided below in paragraph (b) of this subsection.

(b) An excise tax on the storage, use, or other consumption in Limestone County of any new or used automotive vehicle, truck trailer, or semi-trailer purchased at retail on or after the date a tax is imposed under the authority of this Act for storage, use or other consumption in the county at the rate of one-third of one percent of the sales price of such automotive vehicle, truck trailer, or semi-trailer.

(c) Every person storing, using, or otherwise consuming in Limestone County tangible personal property purchased at retail after the date a tax is imposed under the authority of this Act shall be liable for the tax, and the liability shall not be extinguished until the tax has been paid as provided for by this Act; provided, however, that a receipt from a retailer maintaining a place of business in Limestone County showing the payment of such tax shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer.

Section 3. The taxes provided for in Section 2 of this Act, if imposed by the county governing body of Limestone County, shall be subject to all the definitions, exceptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments, and deductions set out in Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51, Code of Alabama (1940), and amendments thereto, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection of the taxes.

Section 4. All taxes imposed under the authority of this Act, together with such interest and penalties as may be imposed herein, shall be a lien upon the property of any person, firm or corporation due such taxes under the provisions of this Act, and all of the provisions of the revenue laws of the State of Alabama applying to, or with reference to, the enforcement of liens for license taxes due the State of Alabama shall apply fully to the collection of such taxes imposed under the authority of this Act, and the State Department of Revenue, for the use and benefit of Limestone County, shall collect or enforce such taxes in the manner and form therein provided, and as further provided in Section 5 hereof.

Section 5. Such taxes as may be imposed under the authority of this Act shall be collected by the State Department of Revenue at the same time and along with the collection by the department of taxes levied and collected for the State of Alabama under Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51, Code of Alabama (1940), and amendments thereto, and all reports now required to be made to the Commissioner of Revenue of the State of Alabama shall, on request of the Department of Revenue, be available for inspection by the chairman of the county governing body of Limestone County, or his designated agent, at reasonable times during business hours. The State Department of Revenue shall prepare and distribute such reports, forms, and other information as may be necessary for the collection of the additional taxes herein authorized, if imposed, and shall have all the authority and duties in connection with such additional taxes as are now given by law to the department for the collection of state sales and use taxes under Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51, Code of Alabama (1940), and amendments thereto. It shall be the duty of the Commissioner of Revenue to pay into the State treasury all collections of taxes made hereunder, and on or before the first day of the following month the Commissioner of Revenue shall certify to the State Treasurer the amount of special taxes levied and collected under the authority of this Act for the use and benefit of Limestone County during the calendar month immediately preceding the making of such certificate to the State Treasurer, whereupon it shall be the duty of the State Treasurer to issue his warrant on the State treasury, payable to the governing body of Limestone County for the amount so certified by the Commissioner of Revenue as having been collected for the use and benefit of Limestone County and paid into the State treasury. The State Department of Revenue shall charge Limestone County for collecting any taxes levied under the authority of this Act a percentage of the taxes to be computed on the basis that the total cost of collecting the State's sales and use

taxes bears to the total of State sales and use taxes collected for each fiscal year ending September 30th. Such charge for collecting such taxes shall be deducted once each year from the special sales and special use taxes collected in the month of September of each year before certifying the amount of special sales and special use taxes due Limestone County for such month.

Section 6. Any taxes imposed under the authority of this Act shall be in addition to all other licenses and taxes levied by law as a condition precedent to engage in any business taxable hereunder in Limestone County, except as herein otherwise specifically provided.

Section 7. Any taxes levied under the authority of this Act shall be due and collectible at the times and manner and as set out in Section 752 through Section 811 and in Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama (1940), and all of the methods and provisions given to the State of Alabama as to the collection of such taxes under the provisions of Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51, Code of Alabama (1940), and amendments thereto, are given hereby to Limestone County, and to the State Department of Revenue for Limestone County's use, as to the taxes which may be levied under the authority of this Act.

Section 8. The proceeds of such taxes as may be imposed under the authority of this Act, when paid to the county governing body of Limestone County as provided by Section 5 herein, shall be used exclusively for public school purposes; and the county governing body shall distribute such proceeds among the county board of education of Limestone County and the various city boards of education of Limestone County on a pro rata basis in proportion to the number of pupils in average daily attendance at schools under the authority and jurisdiction of each such board.

Section 9. All laws or parts of laws which conflict with this Act are repealed.

Section 10. The provisions of this Act are severable. If any part of the Act is declared unconstitutional or invalid, such declaration shall not affect the part which remains.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 26, June 2, June 9, and June 16, all in the year 1955.

STEELE MCGREW.

Sworn to and subscribed before me June 16, 1955.

LOLA L. ORR,
Notary Public.

By Mr. Dement (with notice and proof):

H. 547. Relating to Limestone County; providing for the election and terms of office of the members and chairman of the county board of education.

Local Legislation No. 1.

Notice and Proof H. 547:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Limestone County; providing for the election and terms of office of the members and chairman of the county board of education.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. One member of the Board of Education of Limestone County shall be elected from and by the qualified electors of each of the districts from which members of the Board of Revenue are elected, and a chairman of the board shall be elected by the qualified electors of the county at large. A board member shall be a qualified elector of, and reside in the district for which he is elected; the chairman shall be a qualified elector of and reside in the county. Members of the board for districts two and three shall be elected at the general election in 1956, and every six years thereafter. Members of the board from districts one and four and a chairman shall be elected at the general election in 1958 and every six years thereafter. The incumbent chairman and members of the board shall hold their offices until their successors are elected, as provided in this Act, and have qualified.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. A referendum election shall be held in Limestone County on the first Tuesday following the expiration of 45 days from the date of this enactment, for the purpose of determining whether the qualified electors of the county favor the adoption of the provisions of the Act. Notice of the election shall be given by the sheriff of Limestone County by publication in a newspaper at least one time not less than 15 days prior to the date of the election. The question to be printed on the ballots shall be substantially stated as follows: "Do you favor the election of members of the County Board of Education by districts as provided in Act No. _____, H. _____, passed at the 1955 Regular Session of the Legislature?" If a majority of the electors voting at the election vote in favor of the proposal, this Act shall become operative immediately, but if a majority vote against the proposal, the Act shall have no further effect. The probate judge shall have the ballots prepared, printed and distributed as in the case of elections on constitutional amendments. Election officials shall be appointed and compensated in the same manner as in general elections; and except as otherwise provided herein, the election shall be held, conducted, and regulated in the same manner as general elections. A certificate of the

result of the election shall be filed and kept in the office of the probate judge and a copy thereof shall be sent by the probate judge to the Secretary of State.

J23

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 2, 9, 16, and 23, all in the year 1955.

STEELE MCGREW.

Sworn to and subscribed before me June 23, 1955.

LOLA L. ORR,
Notary Public.

By Mr. Dement (with notice and proof):

H. 548. Relating to Limestone County; to authorize the board of revenue to provide fire protection throughout the county, to maintain fire stations and employ firemen, and to assess the whole or a part of the cost thereof, within a prescribed limit, against property owners in the county; prescribing the procedure for levying and collecting such assessments; and providing for appeals from such assessments.

Local Legislation No. 1.

Notice and Proof H. 548:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Limestone County; to authorize the board of revenue to provide fire protection throughout the county, to maintain fire stations and employ firemen, and to assess the whole or a part of the cost thereof, within a prescribed limit, against property owners in the county; prescribing the procedure for levying and collecting such assessments; and providing for appeals from such assessments.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Board of Revenue or other governing body of Limestone County is hereby authorized to provide fire protection throughout the county. To this end the board may purchase, acquire, build, construct, equip and operate one or more fire stations in each of the commissioners districts in the county, and may employ one full-time fire chief for each station established and such volunteer firemen as are needed, who shall be paid only for the time they work. The board shall fix the salary of the fire chiefs and the rate of compensation

for the volunteer firemen. The board may also acquire, purchase, maintain and operate any type of firefighting equipment, including fire trucks, tank trucks, fire hose and chemical fire extinguishers which it deems necessary.

Section 2. The fire chief and the equipment provided for each district may be used, when needed, in any place in the county.

Section 3. The board of revenue may assess the whole or any part of the cost of furnishing fire protection as authorized in this Act to the property owners in the county; provided, however, such assessment shall not exceed one mill for each dollar of the value of the property, as fixed by the board of equalization of the county, nor be greater than the benefit accruing to such property due to the availability of such fire protection.

Section 4. The board of revenue shall give ten days notice of the time and place at which they shall meet to determine the need for the fire protection hereby authorized, the manner of financing this fire protection program, the part of the cost of such program to be assessed against the property owners of the county, and the manner of assessing the cost of such protection proportionately against each piece of property. The notice of the meeting hereby required shall be published in a newspaper published in the county and shall be posted at the courthouse of the county and in every post office in the county. Any person owning property in the county may appear in person or by attorney at such time and place and make defense against such assessment or the amount thereof. After such hearing the board of revenue shall determine the amount of such assessment and enter on the minutes of the governing body an order fixing such assessment.

Section 5. Any property owner may appeal from the assessment so fixed by the board of revenue to the circuit court. Notice of appeal must be filed within thirty days after the date of the order of the board of revenue fixing the assessment with the clerk of the circuit court, accompanied by a bond approved by such clerk and conditioned to pay all the costs of the appeal. A copy of the notice of appeal must also be filed with the clerk of the board of revenue. Within ten days after the notice of appeal is filed the property owner or the county may demand in writing a trial by jury. The circuit court shall so far as practicable hear such appeals according to the general rules and procedures of courts and shall decide all questions relative to the legality of the assessment. From the judgment of the circuit court either the property owner or the county may appeal direct to the Supreme Court of Alabama within thirty days of the rendition of such judgment. Upon such appeal to the circuit court or to the Supreme Court the court shall ascertain and determine by its judgment or decree the amount of such assessment. If the assessment made by the court is less than that fixed by the board of revenue and the property owner has paid the assessment levied by the board the difference between the court's assessment and the board's assessment shall be refunded to the property owner. If the assessment fixed by the court is greater than that fixed by the board the property owner shall be liable for the payment of the full amount of the court's assessment, and such assessment shall constitute a lien on the property against which assessed which may be enforced in the same manner that liens for county taxes are enforced.

Section 6. Any assessment fixed as provided in this Act shall be payable at the same time and in the same manner as county taxes. Assessments made pursuant to this Act shall constitute a lien on the property against which they are assessed and in case of default in the payment of such assessments the property may be sold in the same

manner and under the same conditions that property is sold for the satisfaction of liens for county taxes.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this Act are repealed.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

June 9

PROOF OF PUBLICATION

STATE OF ALABAMA, COUNTY OF LIMESTONE.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said papers on May 19, May 26, June 2, and June 9, all in the year 1955.

STEELE MCGREW.

Sworn to and subscribed before me June 9, 1955.

LOLA L. ORR,
Notary Public.

By Mr. Dement (with notice and proof):

H. 549. Relating to Limestone County; providing for the election of the chairman and members of the board of revenue of Limestone County; and providing that the provisions of this Act shall become effective only upon a majority vote of the qualified electors of the county favoring the adoption of the provisions of the Act in the election held pursuant thereto.

Local Legislation No. 1.

Notice and Proof H. 549:

STATE OF ALABAMA COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Limestone County; providing for the election of the chairman and members of the board of revenue of Limestone County; and providing that the provisions of this Act shall become effective only upon a majority vote of the qualified electors of the county favoring the adoption of the provisions of the Act in the election held pursuant thereto.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. After the effective date of this Act, one member of the board of revenue shall be elected from each of the four districts into which the county is divided by the qualified electors of the district. A candidate for member of the board must be a resident and qualified elector of the district which he seeks to represent and shall continue to reside therein during his continuance in office. The chairman of the board of revenue shall be elected by the qualified electors of the county-at-large. A candidate for chairman of the board must be a qualified elector and legal resident of Limestone County.

Section 2. The provisions of this Act shall become operative only if approved by a majority of the electors of Limestone County voting in a referendum to be held on the date of the first county-wide primary, general, or special election held after the passage of this Act. The board of revenue of Limestone County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election the question shall be stated substantially as follows: "Shall the provisions of Act No. _____, of the 1955 Regular Session of the Legislature, approved the _____ day of _____, 1955, which relates to the election of members of the board of revenue by district and the election of the chairman of the board of revenue by the qualified electors of the county at large, be adopted? Yes () No ()." If a majority of the votes cast in the election are "Yes", the provisions of this Act shall become operative immediately. If the majority are "No", this Act shall have no effect.

June 9

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 19, May 26, June 2, and June 9, all in the year 1955.

STEELE MCGREW.

Sworn to and subscribed before me June 9, 1955.

LOLA L. ORR,
Notary Public.

By Messrs. Fite and Adams:

H. 550. To authorize each county in this state to sell and issue from time to time interest bearing warrants or certificates of indebtedness for the purpose of acquiring and providing county airports; providing that such warrants and certificates shall evince general obligation indebtedness of the county; authorizing each county to pledge and use for payment of the principal of and interest on such warrants and certificates so much as may be necessary for such purpose of the proceeds of any county privilege, license or excise tax now or hereafter levied in whole or in part for the construction, maintenance, and operation of county airports; specifying the effect and priority of any such pledge; and authorizing the refunding of such warrants and certificates.

Local Government.

By Messrs. Adams and Fite:

H. B. 551. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Local Government.

By Messrs. Fite and Adams:

H. 552. To amend Section 5 of Title 37, Code of Alabama (1940), which classifies incorporated municipalities as "cities" or "towns."

Local Government.

By Mr. Fite:

H. 553. To amend Title 13, Section 179, of the Code of 1940.

Judiciary.

By Messrs. Brassell and Cornett:

H. 554. To amend Sections 92 and 117 of Title 17 of the Code of Alabama of 1940 so as to authorize any county or city or other political subdivision of the state to authorize and direct the use of voting machines for registering or recording and computing the vote at all elections held in such county or city or other political subdivision or portion of any thereof without the requirement of submitting the question of the authorization or installation of voting machines to a vote of the qualified electors of such county, city, or other political subdivision, and so as to make the pertinent and necessary laws pertaining to the use of voting machines in counties also apply to the use of voting machines in any municipality or other political subdivision in which voting machines may be adopted.

Local Government.

By Mr. Harrison:

H. 555. To provide for the organization, regulation, continuance and dissolution of corporations not for profit; to confer and limit their powers, rights and privileges and to impose their duties, obligations and responsibilities and; to provide penalties for the unauthorized assumption of corporate powers by all persons.

Judiciary.

By Mr. Harrison:

H. 556. To amend Sections 1, 2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 18 of Act No. 682, adopted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize any county public building authority now or hereafter organized thereunder to acquire and construct one or more buildings for the use of any municipality or public corporation in the county in which such authority is organized and to lease the same to such municipality or public corporation, to authorize any such county public building authority to issue revenue bonds in lieu of revenue warrants, to provide that such bonds shall constitute negotiable instruments, to specify that any mortgage executed by any such authority shall contain such provisions as its board of directors shall deem advisable, and to authorize the board of directors of any such authority to adopt a resolution, whenever it does not have any bonds or warrants outstanding, declaring that such authority be dissolved.

Judiciary.

By Mr. Harrison:

H. 557. To regulate the teaching and practice of cosmetology, requiring the registration and licensing of cosmetologist and cosmetologists'

apprentices, and schools of cosmetology, creating for the administration of this Act a State Board of Cosmetology, and defining violation of this Act and prescribing penalties therefor.

Health.

By Messrs. McKay, Hodges, and Payne:

H. 558. Regulating the assignment or transfer of recorded mortgages and deeds of trust conveying real estate as security for the payment of debts, by requiring the judge of probate of the county in which such instrument is recorded to note on the margin of the record thereof the fact of such assignment or transfer.

Judiciary.

By Messrs. Payne and McKay (with notice and proof):

H. 559. To extend, alter and rearrange the boundary lines and corporate limits of the City of Talladega, Talladega County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 559.

LEGAL ADVERTISEMENTS

Notice is hereby given in accordance with Section 106 of the Constitution of Alabama that the following Act will be introduced in the 1955 Session of the Legislature of Alabama:

AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the City of Talladega, Talladega County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundary lines and corporate limits of the City of Talladega, Talladega County, Alabama, be and the same are hereby extended, altered and rearranged so as to include within the corporate limits of said City all of the following described territory:

Beginning at the SE corner of Section 36, Tp. 18-S, R-5-E, and run westerly along the south boundary line of Section 36 a distance of one mile to the SE corner of Section 35; thence southerly along the east boundary line of Section 2, Tp. 19-S, R-5-E, a distance of one half mile to the SE corner of the NE $\frac{1}{4}$ of Section 2; thence westerly along the south boundary line of the NE $\frac{1}{4}$ of Section 2 a distance of one half mile to the SE corner of the NW $\frac{1}{4}$ of Section 2; thence southerly along the east boundary line of the SW $\frac{1}{4}$ of Section 2 a distance of one half mile to the SE corner of the SW $\frac{1}{4}$ of Section 2; thence westerly along the south boundary line of Sections 2 and 3 a distance of one mile to the SW corner of the SE $\frac{1}{4}$ of Section 3; thence northerly along the west boundary line of the E $\frac{1}{2}$ of Sections 3, Tp. 19-S, R-5-E, a distance of one quarter of mile to SE corner of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 3, Tp. 19-S, R-5-E; thence in a westerly direction along the South boundary of the N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 3 and the South boundary of N $\frac{1}{2}$ of S $\frac{1}{2}$ of Section 4 to intersection of said line with Talladega Creek; thence in a northwesterly direction along the center line and with the meander of said Talladega Creek to the point of intersection of the center line of said Talladega Creek with the West boundary line of Section 4, Tp. 19-S, R-5-E; thence Northerly along the West boundary of Section 4, Tp. 19-S, R-5-E, and along the west boundary line of Section 33 and 28, Tp. 18-S, R-5-E to the SE corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 29; thence Westerly along the south boundary line of the north half of the NE $\frac{1}{4}$ of Section 29, a distance of one half mile to the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 29; thence northerly along the west boundary line of the E $\frac{1}{2}$ of Sections 29 and 20 a distance of one mile to the NW corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 20; thence easterly along the north boundary line of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 20 a distance of one quarter

of a mile to the SW corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 20; thence northerly along the west boundary line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 20 a distance of one quarter of a mile to the NW corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 20; thence westerly along the north boundary line of Section 20 a distance of one quarter of a mile to the SW corner of the SE $\frac{1}{4}$ of Section 17; thence northerly along the west boundary line of the SE $\frac{1}{4}$ of Section 17 a distance of one quarter of a mile to the NW corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 17; thence easterly along the north boundary line of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 17 and of the S $\frac{1}{2}$ of S $\frac{1}{2}$ of Sections 16 and 15 a distance of approximately two and one-tenth (2.1) miles to a point on the west boundary line of present City limits, said point being on the east side of Jackson Trace Road; thence northerly along the west boundary line of present City limits a distance of approximately one quarter of a mile to the NW corner of present City limits, located on the north boundary line of the SE $\frac{1}{4}$ of Section 15; thence S-87 degrees 27' 30"-E along the north boundary line of the SE $\frac{1}{4}$ of Section 15 to a point that is 975.0 feet westerly from the east boundary line of Section 15; thence N-2 degrees 32' 30"-E a distance of 348.59 feet; thence S-87 degrees 27' 30"-E a distance of 525.0 feet; thence S-2 degrees 32' 30"-W a distance of 348.59 feet; thence S-87 degrees 27' 30"-E a distance of 450.0 feet to the SE corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 15; thence southerly along the east boundary line of Section 15 a distance of 1541.6 feet, more or less, to the southern most point of the U. S. Government Reservation for Coosa River Ordnance plant; thence N-64 degrees 03' 30"-E along the southeastern boundary line of said U. S. Government Reservation a distance of 1419.93 feet to a point; thence N-25 degrees 48' 30"-W a distance of 535.98 feet to a point; thence N-64 degrees 11' 30"-E a distance of 950.0 feet to a point; thence S-25 degrees 48' 30"-E a distance of 318.0 feet to a point; thence N-64 degrees 11' 30"-E a distance of 684.0 feet, more or less, to a point on the N-S half section line of Section 14; thence northerly along said N-S half section line a distance of approximately one half mile to the NW corner of the NE $\frac{1}{4}$ of Section 14; thence easterly along the north boundary line of Sections 14 and 13 a distance of one and one half miles to the NE corner of Section 13; thence southerly along the east boundary line of Section 13, a distance of three quarters mile to the NW corner of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 18, Tp. 18-S, R-6-E; thence easterly along the North boundary line S $\frac{1}{2}$ of S $\frac{1}{2}$ of Section 18, a distance of one half mile to NE corner of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 18; thence southerly along the east boundary line of SW $\frac{1}{4}$ of Section 18, and the east boundary line of W $\frac{1}{2}$ of Sections 19, 30 and 31, Tp. 18-S, R-6-E, and the east boundary line of the W $\frac{1}{2}$ of Section 6, Tp. 19-S, R-6-E, a distance of three and three quarters miles to the SE corner of the NW $\frac{1}{4}$ of Section 6; thence westerly along the south boundary line of the NW $\frac{1}{4}$ of Section 6 a distance of one half mile to the SW corner of the NW $\frac{1}{4}$ of Section 6; thence northerly along the west boundary line of Section 6 a distance of one half mile to the point of beginning.

The above described boundary line being the corporate limits of the City of Talladega, Alabama, and including all lands lying within the above described boundary line.

"Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed."

"Section 3. This Act shall be effective upon its passage and approval by the Governor, or upon its otherwise becoming a law."
(June 2, 9, 16, 23, 1955)

THE STATE OF ALABAMA,
TALLADEGA COUNTY.

Personally appeared before me, a Notary Public in and for said County, Cecil Hornady, who being duly sworn according to law, de-

poses and says that he is the Editor and Publisher of the Talladega News, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consecutively, to-wit, in the issues hereof dated as follows: June 2, 1955, June 9, 1955, June 16, 1955, June 23, 1955.

Editor and Publisher.
CECIL HORNADY,

Sworn and subscribed to before me this 23rd day of June, 1955.

BYRON D. BOYETT,
Notary Public,
State of Ala. At Large.

By Messrs. Adams and Vacca:

H. 560. To authorize the cities and towns of the State of Alabama to levy and collect annually a license and registration fee on automobiles and motor vehicles owned or operated by the residents of the corporate limits of the several cities and towns and their respective police jurisdictions and to provide that the funds derived therefrom shall be used exclusively for the construction, improvement and maintenance of streets and bridges and administrative expenses in connection therewith including the retirement of bonds for the payment of which such revenues may have been pledged, and for no other purpose.

Ways and Means.

By Messrs. Callahan and deGraffenried:

H. 561. To authorize and provide for the establishment of a fund to be designated as the "Solicitor's Fund" for the Solicitor of the Sixth Judicial Circuit, to be drawn upon by the Circuit Solicitor of the Sixth Judicial Circuit, and to provide that the Solicitor's fees taxed in all criminal proceedings in the Circuit Court of Tuscaloosa County be paid into such fund for such purpose.

Judiciary.

By Mr. Callahan:

H. 562. To fix the salary of the stenographic secretary to the Circuit Solicitor of the Sixth Judicial Circuit of Alabama.

Judiciary.

BILLS ON THIRD READING

H. 397. Relating to Franklin County: to levy and impose additional privilege license and excise taxes for school purposes paralleling the state sales and use taxes as prescribed in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended; to provide for the collection of such taxes by the State Department of Revenue; to provide for the distribution of proceeds thereof; and to provide for the enforcement of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Brewer	Callahan	deGraffenried
Adams	Broadfoot	Cornett	Dement
Albea	Brooks	Cox	DeSear
Ashworth	Brown (Lamar)	Crook	Dickson
Bassett	Brown (Lee)	Davis	Edwards (Escambia)
Branyon	Burkhalter	Dawkins	Ferrell

Franklin	Huddleston	McKay	Reynolds
Gilchrist	Hunt	McLendon	Richardson
Gist	Jenkins	McNider	Roberts
Goodwyn	Johnson (Elmore)	Martin	Selman
Gregory	Johnson (Tallapoosa)	Mathews	Simon
Grouby	Kelly	Molette	Solomon
Hain	Kendall	Money	Speaks
Hall	Killough	Murphy	Steagall
Haltom	Kirkham	Nettles	Stembridge
Hanby	Lackey	Nolen	Stokes
Hardy	Law	Oakley	Summerlin
Harrison	Lee (Barbour)	Oden	Thomas
Harvey	Lee (Lawrence)	Payne	Vacca
Hawkins	Locke (Choctaw)	Pirkle	Ward
Hodges	Locke (Perry)	Pruitt	Windle
Holliman	McClendon	Ramey	Wood

—88

And the bill:

H. 269 (with substitute). To provide for the Chief Assistant to the Clerk of the Inferior Court: to prescribe the duties of the said Chief Assistant; to provide for the manner of the appointment and fix the compensation of said Chief Assistant to the Clerk of the Inferior Criminal Court.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said committee substitute being as follows:

SUBSTITUTE FOR H. B. 269

A BILL TO BE ENTITLED AN ACT

Relating to Mobile County; providing for the appointment, duties and compensation of a Chief Assistant to the Clerk of the Inferior Court of Mobile County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Clerk of the Inferior Criminal Court, after the passage and approval of this Act, shall be and is hereby authorized and empowered with the approval of the Judge of the Inferior Criminal Court to appoint a Clerk in such Court to be known as the Chief Assistant to the Clerk of the Inferior Criminal Court.

Section 2. The Chief Assistant to the Clerk of the Inferior Criminal Court shall perform such duties as may be assigned to him by the Clerk of the Inferior Criminal Court and such other duties as may be imposed by law, and is hereby authorized, under the direction of the Clerk of the Inferior Criminal Court, to perform any or all of the official duties of the Clerk of the Inferior Criminal Court, for, and in the name of the Clerk of such Court.

Section 3. The appointment of the Chief Assistant to the Clerk of the Inferior Criminal Court shall be made from the persons in the Classified Service of Mobile County who have qualified by examination and who are now or hereafter may be on the register of Chief Clerks of the Classified Service of Mobile County. The Director of Personnel of Civil Service of Mobile County is hereby directed on written demand from the Judge of said Court, to certify and deliver to the Clerk of the

Inferior Criminal Court the register of Chief Clerks, setting forth the names of persons qualified and eligible for appointment under the provisions of this Act.

Section 4. After the appointment of the Chief Assistant under the provisions of this Act the Chief Assistant to the Clerk of the Inferior Criminal Court of Mobile County shall be and remain within the Classified Service of Mobile County in the Class of Chief Clerk as now provided for by the rules of the Civil Service of Mobile and shall be subject to all of the pertinent rules and regulations of the Civil Service of Mobile County, so long as the Civil Service and its Board of Administration known as the Personnel Board shall continue to exist.

Section 5. The Chief Assistant to the Clerk of the Inferior Criminal Court of Mobile shall receive as compensation for his services as such, the sum of \$4,272.00 per annum, payable in monthly installments out of the general funds of Mobile County and shall have and enjoy the benefits of increased compensation as may be determined from time to time by the Personnel Board of Mobile County in accordance with its plan and its rules and regulations governing the same.

Section 6. All laws and parts of laws in conflict with this Act are hereby expressly repealed.

Section 7. This Act shall become effective October 1, 1955.

And the substitute was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Ferrell	Kelly	Oden
Adams	Franklin	Kendall	Payne
Albea	Gilchrist	Killough	Pirkle
Ashworth	Gist	Kirkham	Pruitt
Bassett	Goodwyn	Lackey	Ramey
Branyon	Gregory	Lee (Barbour)	Reynolds
Brewer	Grouby	Lee (Lawrence)	Richardson
Broadfoot	Hain	Locke (Choctaw)	Roberts
Brooks	Hall	Locke (Perry)	Selman
Brown (Lamar)	Halton	McClendon	Simon
Brown (Lee)	Hanby	McKay	Solomon
Burkhalter	Hardy	McLendon	Speaks
Callahan	Harrison	McNider	Steagall
Cornett	Harvey	Martin	Stembridge
Cox	Hawkins	Mathews	Stokes
Crook	Hodges	Meeks	Taylor
Davis	Holliman	Molette	Thomas
Dawkins	Huddleston	Money	Tyson
deGraffenried	Hunt	Murphy	Vacca
DeSear	Jenkins	Nettles	Ward
Dickson	Johnson (Elmore)	Nolen	Windle
Edwards (Escambia)	Johnson (Tallapoosa)	Oakley	Wood
Faulk			

—89

And said bill, H. 269, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Faulk	Johnson (Tallapoosa)	Nolen
Adams	Ferrell	Kelly	Oakley
Albea	Franklin	Kendall	Payne
Ashworth	Gilchrist	Killough	Pirkle
Bassett	Gist	Kirkham	Pruitt
Bradford	Goodwyn	Lackey	Ramey
Branyon	Gregory	Law	Reynolds
Brewer	Grouby	Lee (Barbour)	Richardson
Broadfoot	Hain	Lee (Lawrence)	Roberts
Brooks	Hall	Locke (Choctaw)	Selman
Brown (Lamar)	Haltom	Locke (Perry)	Simon
Brown (Lee)	Hanby	McClendon	Speaks
Burkhalter	Hardy	McKay	Steagall
Callahan	Harrison	McLendon	Stokes
Cornett	Harvey	McNider	Summerlin
Cox	Hawkins	Martin	Taylor
Crook	Hodges	Mathews	Thomas
Davis	Holliman	Meeks	Tyson
Dawkins	Huddleston	Molette	Vacca
deGraffenried	Hunt	Money	Ward
DeSear	Jenkins	Murphy	Windle
Dickson	Johnson (Elmore)	Nettles	Wood
Edwards (Escambia)			

—89

And the bill:

H. 271 (with amendment). To amend Section Three (3) of an Act entitled: "An Act to provide for the appointment of the Clerk of the Inferior Criminal Court of Mobile County; to fix the compensation and term of office of such Clerk and to provide that for such compensation such Clerk shall perform the Ex-Officio duties of the Clerk of the Inferior Civil Court of Mobile County, as well as the duties of Clerk of the Civil Division of the Inferior Criminal Court of Mobile County; and to repeal all laws and parts of laws in conflict herewith," approved August 5, 1953 (Acts of the Legislature 1953, page 352).

Wsa taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

AMENDMENT OF H. B. 271

Strike out Section 3 of the bill and substitute the following:

Section 3. This Act shall become effective October 1, 1955.

And the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Brown (Lamar)	Faulk	Hall
Adams	Burkhalter	Ferrell	Haltom
Albea	Cornett	Franklin	Hanby
Ashworth	Cox	Gilchrist	Hardy
Bassett	Crook	Gist	Harrison
Branyon	deGraffenried	Goodwyn	Harvey
Brewer	Dickson	Gregory	Hawkins
Broadfoot	Edwards (Escambia)	Grouby	Hodges
Brooks	Edwards (Jefferson)	Hain	Holliman

Huddleston	Locke (Choctaw)	Nettles	Shumate
Hunt	Locke (Perry)	Nice	Speaks
Jenkins	McClendon	Nolen	Steagall
Johnson (Elmore)	McKay	Oakley	Stembridge
Johnson (Tallapoosa)	McLendon	Oden	Summerlin
Kelly	McNider	Payne	Taylor
Kendall	Martin	Pirkle	Thomas
Killough	Mathews	Pruitt	Tyson
Kirkham	Meeks	Ramey	Vacca
Lackey	Molette	Reynolds	Ward
Lee (Barbour)	Money	Richardson	Windle
Lee (Lawrence)	Murphy	Selman	Wood

—84

And said bill, H. 271, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Franklin	Johnson (Tallapoosa)	Oden
Adams	Gilchrist	Killough	Payne
Albea	Gist	Kirkham	Pirkle
Ashworth	Goodwyn	Lackey	Pruitt
Bassett	Gregory	Lee (Barbour)	Ramey
Bradford	Grouby	Lee (Lawrence)	Reynolds
Branyon	Hain	Locke (Choctaw)	Richardson
Brewer	Hall	Locke (Perry)	Selman
Broadfoot	Haltom	McClendon	Simon
Brown (Lamar)	Hanby	McKay	Speaks
Burkhalter	Hardy	McLendon	Steagall
Callahan	Harrison	McNider	Stembridge
Cornett	Harvey	Martin	Summerlin
Cox	Hawkins	Mathews	Taylor
Crook	Hodges	Molette	Thomas
deGraffenried	Holliman	Money	Tyson
DeSear	Huddleston	Murphy	Vacca
Edwards (Escambia)	Hunt	Nettles	Ward
Edwards (Jefferson)	Jenkins	Nolen	Windle
Faulk	Johnson (Elmore)	Oakley	Wood
Ferrell			

—81

And the bill:

H. 457. Relating to Baldwin County; providing that any savings and loan association organized and operated under the provisions of Chapter 11 of Title 5, Code of Alabama (1940), as amended, and existing in any such county, may, with the approval of the Savings and Loans Commissioner, State Department of Commerce, open, establish, and maintain a branch office in Fairhope, Alabama, in said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Albea	Bassett	Branyon
Adams	Ashworth	Bradford	Brewer

Broadfoot	Grouby	Lee (Barbour)	Pirkle
Brooks	Hain	Lee (Lawrence)	Pruitt
Brown (Lamar)	Hall	Locke (Choctaw)	Ramey
Burkhalter	Haltom	Locke (Perry)	Reynolds
Cornett	Hanby	McClendon	Richardson
Cox	Hardy	McKay	Roberts
Crook	Harrison	McLendon	Selman
Davis	Harvey	McNider	Shumate
deGraffenried	Hawkins	Mathews	Simon
Dement	Hodges	Meeks	Speaks
DeSear	Holliman	Molette	Steagall
Edwards (Escambia)	Huddleston	Money	Stembridge
Edwards (Jefferson)	Hunt	Murphy	Summerlin
Faulk	Jenkins	Nettles	Thomas
Ferrell	Johnson (Elmore)	Nice	Tyson
Franklin	Johnson (Tallapoosa)	Nolen	Vacca
Gilchrist	Killough	Oakley	Ward
Gist	Kirkham	Payne	Windle
Goodwyn	Lackey	Perry	Wood
Gregory			

—85

And the bill:

H. 463. To amend Act No. 219, Acts of Alabama, Regular Session, 1949, page 311, entitled "An Act Relating to Butler County: To provide further for the County Board of Education, providing for the election of members, fixing their terms and compensation, and defining their powers and duties."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Ferrell	Johnson (Tallapoosa)	Oden
Adams	Franklin	Killough	Payne
Albea	Gilchrist	Kirkham	Pirkle
Ashworth	Gist	Lackey	Pruitt
Bassett	Goodwyn	Law	Ramey
Bradford	Gregory	Lee (Barbour)	Reynolds
Branyon	Grouby	Lee (Lawrence)	Roberts
Brewer	Hain	Locke (Choctaw)	Selman
Broadfoot	Hall	Locke (Perry)	Shumate
Brown (Lamar)	Haltom	McClendon	Simon
Burkhalter	Hanby	McKay	Speaks
Callahan	Hardy	McLendon	Steagall
Cornett	Harrison	McNider	Stembridge
Cox	Harvey	Mathews	Summerlin
Crook	Hawkins	Molette	Taylor
Davis	Hodges	Money	Thomas
deGraffenried	Holliman	Murphy	Tyson
Dement	Huddleston	Nettles	Vacca
DeSear	Hunt	Nice	Ward
Edwards (Escambia)	Jenkins	Nolen	Windle
Edwards (Jefferson)	Johnson (Elmore)	Oakley	Wood
Faulk			

—85

And the bill:

H. 464. To provide for the compensation of the Court Reporter of the Law and Equity Court of Franklin County, Alabama, and enlarge the duties of such office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kelly	Payne
Adams	Faulk	Killough	Pirkle
Albea	Ferrell	Kirkham	Pruitt
Ashworth	Franklin	Lackey	Ramey
Bassett	Gilchrist	Law	Reynolds
Bradford	Gist	Lee (Barbour)	Richardson
Branyon	Goodwyn	Lee (Lawrence)	Selman
Brewer	Gregory	Locke (Choctaw)	Shumate
Broadfoot	Hain	Locke (Perry)	Simon
Brooks	Hall	McClendon	Solomon
Brown (Lamar)	Halton	McKay	Speaks
Burkhalter	Hanby	McLendon	Steagall
Callahan	Hardy	McNider	Stembridge
Cornett	Harrison	Mathews	Stokes
Cox	Harvey	Meeks	Taylor
Crook	Hawkins	Molette	Thomas
Davis	Hodges	Money	Tyson
deGraffenried	Huddleston	Murphy	Vacca
Dement	Hunt	Nettles	Ward
DeSear	Jenkins	Nolen	Windle
Dickson	Johnson (Elmore)	Oakley	Wood
Edwards (Escambia)	Johnson (Tallapoosa)	Oden	

—87

And the bill:

H. 466. For the relief of Charles Bearden, to authorize and direct the governing body of Marshall County, Alabama, to make an appropriation of Seven Hundred and No/100 Dollars out of the GENERAL FUND or the ROAD & BRIDGE FUND for the relief of Charles Bearden for property damage suffered by him as a result of negligence of a county employee, and to provide for the effective date of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cornett	Gilchrist	Hodges
Adams	Cox	Gist	Holliman
Albea	Crook	Goodwyn	Huddleston
Ashworth	Davis	Gregory	Hunt
Bassett	deGraffenried	Grouby	Jenkins
Bradford	Dement	Hain	Johnson (Elmore)
Branyon	DeSear	Hall	Johnson (Tallapoosa)
Brewer	Dickson	Halton	Kelly
Broadfoot	Edwards (Escambia)	Hanby	Kirkham
Brooks	Edwards (Jefferson)	Hardy	Lackey
Brown (Lamar)	Faulk	Harrison	Law
Burkhalter	Ferrell	Harvey	Lee (Barbour)
Callahan	Franklin	Hawkins	Lee (Lawrence)

Locke (Choctaw)	Murphy	Reynolds	Summerlin
Locke (Perry)	Nettles	Richardson	Taylor
McClendon	Nice	Roberts	Thomas
McKay	Nolen	Selman	Tyson
McLendon	Oakley	Simon	Vacca
McNider	Payne	Solomon	Ward
Mathews	Pirkle	Speaks	Windle
Molette	Pruitt	Steagall	Wood
Money	Ramey	Stokes	

—87

And the bill:

H. 467. To provide for the relief of H. L. Hughes out of the funds of Marshall County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Johnson (Elmore)	Oakley
Adams	Faulk	Johnson (Tallapoosa)	Oden
Albea	Ferrell	Kelly	Payne
Ashworth	Franklin	Killough	Pirkle
Bassett	Gilchrist	Kirkham	Pruitt
Bradford	Gist	Lackey	Reynolds
Branyon	Goodwyn	Law	Richardson
Brewer	Gregory	Lee (Barbour)	Roberts
Broadfoot	Grouby	Lee (Lawrence)	Selman
Brooks	Hain	Locke (Choctaw)	Shumate
Brown (Lamar)	Hall	Locke (Perry)	Simon
Burkhalter	Haltom	McClendon	Solomon
Callahan	Hanby	McKay	Speaks
Cornett	Hardy	McLendon	Steagall
Cox	Harrison	McNider	Stembridge
Crook	Harvey	Mathews	Stokes
Davis	Hawkins	Molette	Taylor
deGraffenried	Hodges	Money	Tyson
Dement	Holliman	Murphy	Vacca
DeSear	Huddleston	Nettles	Ward
Dickson	Hunt	Nice	Windle
Edwards (Escambia)	Jenkins	Nolen	Wood

—88

And the bill:

H. 468. For the relief of the Check-R-Board Feed Store, to provide compensation from the General Fund or the Road & Bridge Fund of Marshall County to Check-R-Board Feed Store for property damage resulting from the collapse of a bridge under a public road in Marshall County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Albea	Bassett	Branyon
Adams	Ashworth	Bradford	Brewer

Broadfoot	Gregory	Law	Pruitt
Brooks	Grouby	Lee (Lawrence)	Ramey
Brown (Lamar)	Hain	Locke (Choctaw)	Reynolds
Burkhalter	Hall	Locke (Perry)	Richardson
Callahan	Haltom	McClendon	Roberts
Cornett	Hanby	McKay	Selman
Cox	Hardy	McLendon	Simon
Crook	Harvey	McNider	Solomon
Davis	Hawkins	Martin	Speaks
deGraffenried	Hodges	Mathews	Steagall
Dement	Holliman	Molette	Stembridge
DeSear	Huddleston	Money	Stokes
Dickson	Hunt	Nettles	Summerlin
Edwards (Escambia)	Jenkins	Nice	Taylor
Edwards (Jefferson)	Johnson (Elmore)	Nolen	Tyson
Faulk	Johnson (Tallapoosa)	Oakley	Vacca
Ferrell	Kelly	Oden	Ward
Franklin	Killough	Payne	Windle
Gilchrist	Kirkham	Pirkle	Wood
Gist	Lackey		

—86

And the bill:

H. 469. For the relief of L. F. Campbell, to provide compensation from the General Fund or the Road and Bridge Fund of Marshall County to L. F. Campbell for property damage resulting from the collapse of a bridge under a public road of Marshall County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Faulk	Johnson (Tallapoosa)	Oakley
Adams	Ferrell	Kelly	Payne
Albea	Franklin	Killough	Pirkle
Ashworth	Gilchrist	Lackey	Pruitt
Bassett	Gist	Law	Ramey
Bradford	Gregory	Lee (Lawrence)	Reynolds
Brewer	Grouby	Locke (Choctaw)	Richardson
Broadfoot	Hain	Locke (Perry)	Selman
Brooks	Hall	McClendon	Simon
Brown (Lamar)	Haltom	McKay	Solomon
Burkhalter	Hanby	McLendon	Speaks
Callahan	Hardy	McNider	Steagall
Cornett	Harrison	Martin	Stembridge
Cox	Harvey	Mathews	Stokes
Crook	Hawkins	Meeks	Summerlin
Davis	Hodges	Molette	Taylor
deGraffenried	Holliman	Money	Tyson
Dement	Huddleston	Murphy	Vacca
DeSear	Hunt	Nettles	Ward
Dickson	Jenkins	Nice	Windle
Edwards (Escambia)	Johnson (Elmore)	Nolen	Wood
Edwards (Jefferson)			

—85

MOTION ADOPTED

The motion of Mr. Nettles to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 473, was adopted.

MOTION TO ADJOURN LOST

The motion of Mr. Grouby to adjourn until Tuesday, June 28, 1955, at ten o'clock A.M. was lost.

Yeas 30; Nays 59.

Yeas:

Messrs.	Callahan	Hodges	Oden
Adams	deGraffenried	Holliman	Richardson
Albea	Dement	Johnson (Elmore)	Simon
Bradford	Grouby	Law	Steagall
Brassell	Hain	Lee (Barbour)	Thomas
Broadfoot	Hanby	Locke (Choctaw)	Tyson
Brown (Lamar)	Harrison	McNider	Ward
Brown (Lee)	Hawkins	Murphy	

—30

Nays:

Mr. Speaker	Ferrell	Lee (Lawrence)	Pirkle
Ashworth	Franklin	Locke (Perry)	Pruitt
Bassett	Gilchrist	McKay	Reynolds
Branyon	Gist	McLendon	Roberts
Brewer	Gregory	Martin	Selman
Brooks	Hall	Mathews	Shumate
Burkhalter	Haltom	Meeks	Solomon
Cornett	Hardy	Molette	Speaks
Cox	Harvey	Money	Stembridge
Crook	Huddleston	Nettles	Stokes
Davis	Jenkins	Nice	Summerlin
DeSear	Johnson (Tallapoosa)	Nolen	Taylor
Dickson	Kelly	Oakley	Windle
Edwards (Escambia)	Killough	Payne	Wood
Faulk	Kirkham	Perry	

—59

BILLS ON THIRD READING RESUMED

MOTION TO RECOMMIT

The motion of Mr. Murphy to recommit the bill, H. 473, was lost.

And the bill:

H. 473. Relating to Wilcox County; regulating the solicitation of membership in certain organizations from among the citizens of Wilcox County; providing for the issuance of permits and payment of fees for the solicitation of membership in such organizations; and prescribing penalties for violations of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 48; Nays 33.

Yeas:

Mr. Speaker	Burkhalter	Dickson	Hardy
Adams	Cornett	Faulk	Holliman
Bassett	Cox	Franklin	Jenkins
Bradford	Crook	Gist	Kendall
Brooks	Davis	Hain	Killough
Brown (Lee)	DeSear	Hall	Kirkham

Lee (Barbour)	McNider	Payne	Stokes
Locke (Choctaw)	Martin	Pirkle	Summerlin
Locke (Perry)	Molette	Pruitt	Taylor
McClendon	Money	Solomon	Thomas
McKay	Nettles	Steagall	Windle
McLendon	Oakley	Stembridge	Wood

—48

Nays:

Messrs.	Edwards (Escambia)	Hodges	Perry
Albea	Ferrell	Huddleston	Roberts
Ashworth	Goodwyn	Kelly	Selman
Broadfoot	Gregory	Law	Shumate
Brown (Lamar)	Grouby	Murphy	Simon
Callahan	Haltom	Nice	Speaks
Dawkins	Hanby	Nolen	Tyson
deGraffenried	Harrison	Oden	Vacca
Dement	Hawkins		

—33

And the bill:

S. 150. Relating to Pickens County: To regulate further the compensation of the county superintendent of education.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Kelly	Payne
Adams	Edwards (Jefferson)	Kendall	Pirkle
Albea	Faulk	Killough	Pruitt
Ashworth	Ferrell	Kirkham	Ramey
Bassett	Franklin	Lackey	Reynolds
Bradford	Gilchrist	Lee (Barbour)	Richardson
Brassell	Gist	Locke (Choctaw)	Selman
Brewer	Goodwyn	Locke (Perry)	Shumate
Broadfoot	Gregory	McClendon	Simon
Brooks	Hain	McKay	Solomon
Brown (Lamar)	Hall	McLendon	Speaks
Brown (Lee)	Haltom	McNider	Steagall
Burkhalter	Hanby	Martin	Stembridge
Callahan	Hardy	Mathews	Stokes
Cornett	Harrison	Meeks	Summerlin
Cox	Harvey	Molette	Taylor
Crook	Hawkins	Money	Thomas
Davis	Hodges	Murphy	Tyson
Dawkins	Holliman	Nettles	Vacca
deGraffenried	Huddleston	Nice	Ward
Dement	Hunt	Nolen	Windle
DeSear	Jenkins	Oden	Wood
Dickson	Johnson (Elmore)		

—90

And the bill:

S. 152. To create a Hospital Board in all counties of this state having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent Federal decennial census, provide for the appointment of the members of said Board, their terms of office and compensation, to require said counties and all

municipalities located within said counties to make payments to said Hospital Board to aid in the operation of a hospital in said counties and to provide care for charity patients, to require said Hospital Board to operate a hospital in said counties and to prescribe the powers and duties of said Hospital Board, and to provide for meetings of said Board and a fiscal year for the operations of said Hospital Board.

Was read a third time at length and passed.

Yeas 87; Nays 1.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Nolen
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Oden
Albea	Faulk	Kelly	Payne
Ashworth	Ferrell	Kendall	Pirkle
Bassett	Franklin	Killough	Pruitt
Bradford	Gilchrist	Kirkham	Ramey
Brassell	Gist	Lackey	Reynolds
Brewer	Goodwyn	Law	Selman
Broadfoot	Gregory	Lee (Lawrence)	Shumate
Brooks	Grouby	Locke (Choctaw)	Simon
Brown (Lamar)	Hain	Locke (Perry)	Solomon
Brown (Lee)	Hall	McClendon	Speaks
Burkhalter	Haltom	McKay	Steagall
Callahan	Hanby	McLendon	Stembridge
Cornett	Harrison	McNider	Summerlin
Crook	Harvey	Mathews	Taylor
Davis	Hawkins	Meeks	Tyson
Dawkins	Hodges	Molette	Vacca
deGraffenried	Holliman	Money	Ward
Dement	Huddleston	Murphy	Windle
DeSear	Hunt	Nettles	Wood
Dickson	Jenkins	Nice	

—87

Nays: Mr. Oakley.

—1

And the bill:

H. 390. Relating to Walker County; proposing an amendment to the Constitution of Alabama relative to regulating the costs, and charges of courts in Walker County, and the method of disbursement of same.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 1.

Yeas:

Mr. Speaker	Brown (Lamar)	DeSear	Gregory
Adams	Brown (Lee)	Dickson	Grouby
Albea	Burkhalter	Edwards (Escambia)	Hain
Ashworth	Callahan	Edwards (Jefferson)	Hall
Bassett	Cornett	Faulk	Haltom
Bradford	Cox	Ferrell	Hanby
Brassell	Crook	Franklin	Hardy
Brewer	Dawkins	Gilchrist	Hare
Broadfoot	deGraffenried	Gist	Harrison
Brooks	Dement	Goodwyn	Harvey

Hawkins	Law	Murphy	Solomon
Hodges	Lee (Lawrence)	Nettles	Speaks
Holliman	Locke (Choctaw)	Nice	Steagall
Huddleston	Locke (Perry)	Nolen	Stembridge
Hunt	McClendon	Oden	Summerlin
Jenkins	McKay	Payne	Taylor
Johnson (Elmore)	McLendon	Pirkle	Tyson
Johnson (Tallapoosa)	McNider	Pruitt	Vacca
Kendall	Mathews	Selman	Ward
Killough	Molette	Shumate	Windle
Kirkham	Money	Simon	Wood
Lackey			

—85

Nays: Mr. Oakley.

—1

And the bill:

S. 148. To fix the compensation of the superintendent of education in all counties having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 90; Nays 1.

Yeas:

Mr. Speaker	Dickson	Jenkins	Nolen
Adams	Edwards (Escambia)	Johnson (Elmore)	Oden
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Payne
Ashworth	Faulk	Kendall	Pirkle
Bassett	Ferrell	Killough	Pruitt
Bradford	Franklin	Kirkham	Ramey
Branyon	Gilchrist	Lackey	Reynolds
Brassell	Gist	Law	Selman
Brewer	Gregory	Lee (Lawrence)	Shumate
Broadfoot	Grouby	Locke (Choctaw)	Simon
Brooks	Hain	Locke (Perry)	Solomon
Brown (Lamar)	Hall	McClendon	Speaks
Brown (Lee)	Haltom	McKay	Steagall
Burkhalter	Hanby	McLendon	Stembridge
Callahan	Hardy	McNider	Summerlin
Cornett	Hare	Mathews	Taylor
Cox	Harrison	Meeks	Thomas
Crook	Harvey	Molette	Tyson
Davis	Hawkins	Money	Vacca
Dawkins	Hodges	Murphy	Ward
deGraffenried	Holliman	Nettles	Windle
Dement	Huddleston	Nice	Wood
DeSear	Hunt		

—90

Nays: Mr. Oakley.

—1

MOTION TO ADJOURN LOST

The motion of Mr. Adams to adjourn until Tuesday, June 28, 1955, at twelve o'clock, noon, was lost.

Yeas 36; Nays 56.

Yeas:

Messrs.	Edwards (Jefferson)	McClendon	Perry
Adams	Faulk	McNider	Pirkle
Albea	Grouby	Mathews	Simon
Bradford	Hanby	Meeks	Solomon
Brassell	Hawkins	Murphy	Stembridge
Brown (Lee)	Johnson (Tallapoosa)	Nettles	Stokes
Callahan	Lackey	Nice	Thomas
Cornett	Lee (Barbour)	Oakley	Tyson
deGraffenried	Locke (Choctaw)	Payne	Vacca
Edwards (Escambia)			

—36

Nays:

Mr. Speaker	Dickson	Huddleston	Money
Ashworth	Ferrell	Hunt	Nolen
Bassett	Franklin	Jenkins	Oden
Branyon	Gilchrist	Kelly	Ramey
Brewer	Gist	Kendall	Reynolds
Broadfoot	Goodwyn	Killough	Richardson
Brooks	Gregory	Kirkham	Roberts
Burkhalter	Hain	Law	Shumate
Cox	Hall	Lee (Lawrence)	Steagall
Crook	Haltom	Locke (Perry)	Summerlin
Davis	Harrison	McKay	Taylor
Dawkins	Harvey	McLendon	Ward
Dement	Hodges	Martin	Windle
DeSear	Holliman	Molette	Wood

—56

BILLS ON THIRD READING RESUMED

H. 377 (with amendments). Regulating further the testing, inspecting, and grading of milk, cream, and milk products with respect to the public health; prescribing certain duties and authority of the Department of Agriculture & Industries, the Commissioner of Agriculture & Industries, and the State Board of Health; providing for the cooperation and exchange of information between the Department of Agriculture & Industries, the State Board of Health, and the Alabama State Milk Control Board in the making of any surveys, investigations, and inquiries made for the purpose of determining whether or not, or in what manner, the production, processing, and distributing of milk, cream, and milk products may affect the public health; prescribing conditions and requirements for milk transported into Alabama from other states; and prescribing a penalty for violations of this Act.

Was taken up.

The question was upon the adoption of the amendments reported by the Standing Committee on Agriculture, said committee amendments being as follows:

**AGRICULTURE COMMITTEE AMENDMENT NO. 1
TO HOUSE BILL NO. 377**

Amend House Bill No. 377, Section III, Line 8, by inserting immediately after the word "permits" the words "as have been issued by the Commissioner of Agriculture"

And the amendment was adopted.

Yeas 83; Nays 8.

Yeas:

Mr. Speaker	Ferrell	Kendall	Payne
Adams	Franklin	Killough	Pirkle
Ashworth	Gilchrist	Kirkham	Pruitt
Bassett	Gist	Lackey	Ramey
Bradford	Goodwyn	Law	Reynolds
Branyon	Gregory	Lee (Barbour)	Richardson
Brassell	Grouby	Lee (Lawrence)	Roberts
Brewer	Hain	Locke (Choctaw)	Selman
Broadfoot	Hall	Locke (Perry)	Shumate
Brooks	Haltom	McKay	Simon
Burkhalter	Hardy	McLendon	Solomon
Cornett	Hare	McNider	Speaks
Cox	Harrison	Martin	Steagall
Crook	Harvey	Mathews	Stokes
Davis	Hodges	Molette	Taylor
Dawkins	Holliman	Money	Thomas
Dement	Hunt	Murphy	Vacca
DeSear	Jenkins	Nettles	Ward
Dickson	Johnson (Elmore)	Nolen	Windle
Edwards (Escambia)	Johnson (Tallapoosa)	Oakley	Wood
Edwards (Jefferson)	Kelly	Oden	

—83

Nays:

Messrs.	deGraffenried	Hawkins	Nice
Brown (Lee)	Hanby	Meeks	Perry
Callahan			

—8

And:

**AGRICULTURE COMMITTEE AMENDMENT NO. 2
TO HOUSE BILL NO. 377**

Amend House Bill No. 377, Section 5 (to be inserted preceding the last sentence).

All information received by the Commissioner of Agriculture and Industries or any employee, official, or agent of said Commissioner as a result of the examination of records of any milk process establishment shall be regarded and considered confidential and it shall be unlawful for any official, employee, or agent of the Commissioner of Agriculture and Industries to reveal any of said confidential information.

And the amendment was adopted.

Yeas 77; Nays 8.

Yeas:

Mr. Speaker	Brassell	Cornett	DeSear
Adams	Brewer	Cox	Dickson
Ashworth	Broadfoot	Crook	Edwards (Escambia)
Bassett	Brooks	Davis	Edwards (Jefferson)
Bradford	Brown (Lamar)	Dawkins	Ferrell
Branyon	Burkhalter	Dement	Franklin

Gilchrist	Jenkins	McClendon	Ramey
Gist	Johnson (Tallapoosa)	McKay	Reynolds
Goodwyn	Kelly	McLendon	Richardson
Gregory	Johnson (Elmore)	McNider	Roberts
Hain	Kirkham	Martin	Simon
Hall	Kendall	Mathews	Solomon
Haltom	Killough	Molette	Speaks
Hardy	Lackey	Money	Steagall
Harrison	Law	Murphy	Stokes
Harvey	Lee (Barbour)	Oakley	Taylor
Hodges	Lee (Lawrence)	Oden	Thomas
Holliman	Locke (Choctaw)	Payne	Windle
Huddleston	Locke (Perry)	Pirkle	Wood
Hunt			

—77

Nays:

Messrs.	deGraffenried	Hawkins	Perry
Brown (Lee)	Hanby	Nolen	Pruitt
Callahan			

—8

Mr. Gilchrist offered the following amendment to the bill, H. 377, as amended:

AMENDMENT TO HOUSE BILL 377

Amend the second sentence of Section 2 of House Bill 377 by striking out the last three words of said sentence and inserting in lieu thereof the following words and figures: "in Sections 3 and 5 of this Act".

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Faulk	Kendall	Payne
Adams	Ferrell	Killough	Perry
Albea	Franklin	Kirkham	Pirkle
Ashworth	Gilchrist	Lackey	Pruitt
Bassett	Gist	Law	Ramey
Bradford	Goodwyn	Lee (Barbour)	Reynolds
Brassell	Gregory	Lee (Lawrence)	Richardson
Brewer	Hain	Locke (Choctaw)	Roberts
Broadfoot	Hall	Locke (Perry)	Selman
Brooks	Haltom	McClendon	Shumate
Brown (Lamar)	Hanby	McKay	Simon
Burkhalter	Hardy	McLendon	Solomon
Callahan	Hare	McNider	Speaks
Cornett	Harrison	Martin	Steagall
Cox	Harvey	Mathews	Stembridge
Crook	Hodges	Meeks	Stokes
Davis	Holliman	Molette	Summerlin
Dawkins	Huddleston	Money	Taylor
deGraffenried	Hunt	Murphy	Thomas
Dement	Jenkins	Nettles	Vacca
DeSear	Johnson (Elmore)	Nolen	Ward
Dickson	Johnson (Tallapoosa)	Oakley	Windle
Edwards (Escambia)	Kelly	Oden	Wood
Edwards (Jefferson)			

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The motion of Mr. Gilchrist to lay on the table the motion of Mr. Adams to postpone further consideration of the bill, H. 377, until the eighteenth legislative day was adopted.

Yeas 65; Nays 26.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Johnson (Tallapoosa)	Nettles
Ashworth	Ferrell	Kelly	Nolen
Bassett	Franklin	Kendall	Oden
Bradford	Gilchrist	Killough	Pruitt
Branyon	Gist	Kirkham	Ramey
Brassell	Goodwyn	Lackey	Reynolds
Brewer	Gregory	Law	Richardson
Broadfoot	Hall	Lee (Barbour)	Selman
Brooks	Haltom	Lee (Lawrence)	Shumate
Cox	Hardy	Locke (Choctaw)	Simon
Crook	Harrison	Locke (Perry)	Speaks
Davis	Harvey	McLendon	Taylor
Dawkins	Hodges	McNider	Tyson
Dement	Holliman	Martin	Ward
DeSear	Hunt	Molette	Windle
Dickson	Jenkins	Money	Wood
Edwards (Escambia)	Johnson (Elmore)		

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Nays:

Messrs.	deGraffenried	Mathews	Pirkle
Adams	Hanby	Meeks	Roberts
Albea	Hawkins	Murphy	Solomon
Brown (Lamar)	Huddleston	Nice	Stembridge
Brown (Lee)	Kaul	Oakley	Stokes
Callahan	McClendon	Payne	Vacca
Cornett	McKay	Perry	

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And said bill, H. 377, as amended, was read a third time at length and passed.

Yeas 78; Nays 17.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Nettles
Ashworth	Ferrell	Johnson (Tallapoosa)	Nolen
Bassett	Franklin	Kendall	Oakley
Bradford	Gilchrist	Killough	Oden
Branyon	Gist	Kirkham	Payne
Brassell	Goodwyn	Law	Pirkle
Brewer	Gregory	Lee (Barbour)	Pruitt
Broadfoot	Hain	Lee (Lawrence)	Ramey
Brooks	Hall	Locke (Choctaw)	Reynolds
Burkhalter	Haltom	Locke (Perry)	Richardson
Cornett	Hardy	McKay	Roberts
Cox	Hare	McLendon	Selman
Crook	Harrison	McNider	Shumate
Davis	Harvey	Martin	Simon
Dawkins	Hodges	Mathews	Solomon
Dement	Holliman	Molette	Speaks
DeSear	Huddleston	Money	Steagall
Dickson	Hunt	Murphy	Stokes

Summerlin	Thomas	Windle	Wood
Taylor	Tyson		

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Nays:

Messrs.	deGraffenried	Kaul	Perry
Adams	Edwards (Jefferson)	Lackey	Stembridge
Albea	Grouby	Meeks	Vacca
Brown (Lee)	Hanby	Nice	Ward
Callahan	Hawkins		

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On motion of Mr. Richardson, the motion of Mr. Gilchrist to reconsider the vote by which the bill, H. 377, as amended, was passed, was laid upon the table.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Boutwell:

S. J. R. 33. RESOLVED by the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, June 28th, 1955.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S. J. R. 33 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Engelhardt:

S. B. 52. To declare the public policy of the State of Alabama with respect to public education; to provide for further study and analysis as a basis for general reconsideration of the efficiency of the system in promoting the progress of pupils in accordance with their aptitudes and in furtherance of social order and good will; pending such reconsideration to authorize city and county Boards of Education to provide for the continuation or establishment of units, facilities and curricula and the placement of pupils therein so as to assure the best practical educational curriculum and environment for the individual pupils consistent with the educational progress of others and the paramount function of the State's police power to assure social order, good will and the public welfare; to establish the right of parents or guardians to withdraw children from public schools under certain conditions; to provide for appeals from the decisions of such Boards of Education in certain cases; to repeal Sections 56, 93, 318 and 319 of Title 52 of the Code of Alabama of 1940.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 52. Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Robison:

S. 174. To amend Section 1, of Act No. 311, approved July 31, 1951, as amended by Act No. 14, approved February 15, 1955, which fixes the compensation of the Sheriff in counties of more than 96,000 population and less than 140,000 population, according to the last Federal census or any subsequent Federal census and provides for help and assistance and other expenses necessary to the conduct of the office of Sheriff, by providing for the appointment of the Chief Deputy independently from the Merit Board roster in those counties under this Act having a Merit System.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 174. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 379. Relating to Perry County; Prescribing the manner of registering and paying claims of witnesses summoned and attending on behalf of the State in criminal cases in the county court of the county.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 356. To alter, rearrange, and extend the boundaries of the City of Selma in Dallas County.

Also:

H. 357. To amend Section One of an Act entitled "An Act to Allow the Sheriff of DeKalb County, Alabama, an Additional Deputy Sheriff to That Now Provided By Law, to Fix the Salary of Said Deputy and

to Make Same Payable Out of the General Fund of DeKalb County In Monthly Installments," said Act being Act No. 715, approved by the Governor, September 5, 1951.

Also:

H. 395. To provide for meetings and times of meetings of the governing body of any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 38. Relative to the dedication of the Maury A. McWilliams Power Plant at Gantt, Alabama.

J. E. SPEIGHT,
Secretary.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:50 A.M. On June 24, 1955

H. 259

H. 16

Delivered to the Governor at 1:35 P.M. On June 24, 1955

H. 356

H. 357

H. 395

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Pirkle the House adjourned until Tuesday, June 28, 1955, at eleven o'clock A.M.

SIXTEENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, June 28, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Wm. Daniel O'Neal, Assistant Minister, Trinity Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards (Escambia)	Kaul	Oakley
Adams	Edwards (Jefferson)	Kelly	Oden
Albea	Faulk	Kendall	Payne
Ashworth	Ferrell	Killough	Perry
Bassett	Franklin	Kirkham	Pirkle
Boyd	Gilchrist	Lackey	Pruitt
Bradford	Gist	Law	Ramey
Brannan	Goodwyn	Lee (Barbour)	Reynolds
Branyon	Gregory	Lee (Lawrence)	Richardson
Brassell	Grouby	Locke (Choctaw)	Roberts
Brewer	Hain	Locke (Perry)	Selman
Broadfoot	Hall	Love	Shumate
Brooks	Haltom	McClendon	Simon
Brown (Lamar)	Hanby	McKay	Solomon
Brown (Lee)	Hardy	McLendon	Speaks
Burkhalter	Hare	McNider	Steagall
Callahan	Harrison	Martin	Stembridge
Cornett	Harvey	Mathews	Stokes
Cox	Hawkins	Mathison	Summerlin
Crook	Hodges	Meeks	Taylor
Davis	Holliman	Molette	Thomas
Dawkins	Huddleston	Money	Tyson
deGraffenried	Hunt	Murphy	Vacca
Dement	Jenkins	Nettles	Ward
DeSear	Johnson (Elmore)	Nice	Windle
Dickson	Johnson (Tallapoosa)	Nolen	Wood

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fifteenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the fifteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the fifteenth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 230. To provide further for the development of harbors and sea-ports; abolishing the Alabama State Docks Board created by an Act

which became effective August 1, 1951 (Acts of the Legislature of Alabama, 1950-51, Vol. I, page 450), and establishing the Alabama State Docks Department in lieu thereof; providing for the selection of the Department's officers, and prescribing the Department's functions, jurisdiction, powers, and duties; repealing conflicting laws.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 377. Regulating further the testing, inspecting, and grading of milk, cream, and milk products with respect to the public health; prescribing certain duties and authority of the Department of Agriculture & Industries, the Commissioner of Agriculture & Industries, and the State Board of Health; providing for the cooperation and exchange of information between the Department of Agriculture & Industries, the State Board of Health, and the Alabama State Milk Control Board in the making of any surveys, investigations, and inquiries made for the purpose of determining whether or not, or in what manner, the production, processing, and distributing of milk, cream, and milk products may affect the public health; prescribing conditions and requirements for milk transported into Alabama from other states; and prescribing a penalty for violations of this Act.

RANKIN FITE,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AN ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill and House Joint Resolution, to-wit:

H. 379. Relating to Perry County; Prescribing the manner of registering and paying claims of witnesses summoned and attending on behalf of the State in criminal cases in the county court of the county.

Also:

H. J. R. 38. Relative to the dedication of the Maury A. McWilliams power plant.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bill and House Joint Resolution, the titles to which are set

out in the above and foregoing report of the Standing Committee on Rules.

S. 52 RE-REFERRED

The motion of Mr. Fite to re-refer the bill, S. 52, was adopted.

And the Speaker re-referred the bill,

S. 52. Relating to the public schools: To establish a modern placement system whereby pupils may be so assigned to the various public schools of the state as to promote the full development and utilization of the individual talents of the pupils, and to implement this system by providing for each school attendance district a board of placement, members of which shall be judicial officers of the State authorized to make the determinations respecting the rights of school pupils in that district; providing for the appointment, term of office, and compensation of members of such boards, authorizing appeals from decisions of such boards, and directing city and county superintendents of education and city and county boards of education to furnish certain assistance to the boards of placement.

to the Standing Committee on Constitution and Elections.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 17. Relative to naming Senate Bill No. 71.

Also:

S. J. R. 31. Relative to naming House Bill No. 16.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles to which are set out in the above and foregoing Message from the Senate.

NOTICE IN WRITING

Mr. Lee (Barbour) offered the following Notice in Writing:

As a point of personal privilege, I desire that my name as co-author be stricken from House Bill No. 28.

And it was so ordered.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 230. To provide further for the development of harbors and seaports; abolishing the Alabama State Docks Board created by an Act

which became effective August 1, 1951 (Acts of the Legislature of Alabama, 1950-51, Vol. I, page 450), and establishing the Alabama State Docks Department in lieu thereof; providing for the selection of the Department's officers, and prescribing the Department's functions, jurisdiction, powers, and duties; repealing conflicting laws.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 537. To make an appropriation to pay the expenses of the Legislature.

Mr. Brown Chairman of the Standing Committee on Transportation reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 295 (with substitute). To amend Sections 42(b), 42(c), 44 and 45 and to add Section 44(1), Title 36, Code of Alabama 1940, as amended, relating to lighting equipment on motor vehicles.

Mr. Murphy Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 155. For the relief of Perry Cumbie of Montgomery, Alabama.

S. 174. To amend Section 1, of Act No. 311, approved July 31, 1951, as amended by Act No. 14, approved February 15, 1955, which fixes the compensation of the Sheriff in counties of more than 96,000 population and less than 140,000 population, according to the last Federal census or any subsequent Federal census and provides for help and assistance and other expenses necessary to the conduct of the office of Sheriff, by providing for the appointment of the Chief Deputy independently from the Merit Board roster in those counties under this Act having a Merit System.

H. 543. To fix and provide for the payment out of the Limestone County general fund the compensation of the coroner for Limestone County, Alabama.

H. 544. Relating to Limestone County; to authorize the board of revenue or other county governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, not to exceed three cents per acre, against forest lands in the county; to prescribe the procedure for levying and collecting such assessment; and to provide for appeals from such assessments.

H. 545. To propose an amendment to the Constitution of Alabama relating to Limestone County, authorizing the county governing body to levy and collect special taxes the proceeds of which shall be used to provide fire protection in the county.

The above bill was read a second time at length as required by the Constitution.

H. 546. Relating to Limestone County: To authorize, direct and require the governing body of Limestone County to call an election in the county for the purpose of determining whether or not the county governing body may levy additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51, Code of Alabama (1940), and amendments thereto, in an amount equal to thirty-three and one-third per centum of the state levy; providing for the enforcement and collection of the tax, if imposed, and the distribution of the proceeds thereof; and prescribing the purpose for which such proceeds may be used.

H. 547. Relating to Limestone County; providing for the election and terms of office of the members and chairman of the county board of education.

H. 548. Relating to Limestone County; to authorize the board of revenue to provide fire protection throughout the county, to maintain fire stations and employ firemen, and to assess the whole or a part of the cost thereof, within a prescribed limit, against property owners in the county; prescribing the procedure for levying and collecting such assessments; and providing for appeals from such assessments.

H. 510. Relating to Cleburne County: To regulate the compensation of the county superintendent of education.

H. 511. Relating to Colbert County: To abolish the office of county commissioner of public schools, establish and restore the office of county superintendent of education, provide for the election of a county superintendent of education, fix his term of office, prescribe his qualifications, provide for his compensation and allowances, and define and prescribe his functions and duties; repealing Act No. 227 approved July 24, 1953, as passed at the 1953 Regular Session of the Legislature, Act No. 72, H. 2, approved April 13, 1955, and all other laws or parts of laws in conflict with this Act; providing for a referendum election by the qualified electors of Colbert County to pass upon the question of whether they favor the adoption of the provisions of this Act, and providing for the election of a county superintendent of education to fill the vacancy that will exist in the office of county superintendent of education in the event this Act is approved at such referendum, and prescribing his qualifications.

H. 549. Relating to Limestone County; providing for the election of the chairman and members of the board of revenue of Limestone County; and providing that the provisions of this Act shall become effective only upon a majority vote of the qualified electors of the county favoring the adoption of the provisions of the Act in the election held pursuant thereto.

H. 559. To extend, alter and rearrange the boundary lines and corporate limits of the City of Talladega, Talladega County, Alabama.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Lee (Barbour), Branyon, Steagall, Stembridge, Thomas, Oden, Gregory, Lee (Lawrence), Money, Gist, Brown (Lamar), Huddleston, Davis, Law, Johnson (Elmore), Hawkins, Stokes, Cornett, Solomon, Killough, Nettles, McNider, Wood, Brooks, Edwards (Escambia), Mathison, Kendall, Taylor, Jenkins, McKay, Payne, Bradford, Sumnerlin, Dickson, Ramey, Speaks, Ashworth and deGraffenried:

H. 563. To provide for the issuance of distinctive motor vehicle license plates or tags to members of the National Guard and Air National Guard of Alabama upon the payment of an additional sum of \$1.00 for use by such persons upon their personally-owned, private, passenger vehicles in lieu of the standard license plate or tag now required; and for the use of such distinctive plates by the State Military Department.

Ways and Means.

By Mr. Albea:

H. 564. To amend further Section 630 of Title 7, Code of Alabama (1940), which relates to the exemption of wages from garnishment or other process for the collection of debts.

Judiciary.

By Messrs. Hunt, McClendon, Jenkins, Killough, Wood, Locke (Choctaw), Burkhalter, Shumate, Albea, Money, Huddleston, Brown (Lamar), Gist, Callahan, Branyon, Johnson (Elmore), Ferrell, Roberts, Gregory, Reynolds, Edwards (Escambia), and Hawkins:

H. 565. Proposing amendments of the Constitution of Alabama fixing the number of representatives in the Legislature and apportioning the membership among the several counties, fixing the number of senators and dividing the State into senatorial districts.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Fite and Davis:

H. 566. To provide that all lumber imported for resale within this State shall have the grade thereof marked on each piece of such lumber; to provide for the grading and marking of all unmarked lumber imported for resale within this State, and to prescribe a fee therefor; to provide for the enforcement of the Act; and to prescribe penalties for violations of the Act.

Conservation.

By Mr. Ferrell:

H. 567. To levy a license or privilege tax, in addition to all other taxes, now levied or imposed by law, on all persons, firms or corporations, engaged in the manufacture or production of coke, and to provide a method of collection of such license or tax and to provide for the payment of said tax into the treasury to be used for education, exclusively.

Ways and Means.

By Messrs. Hawkins, Goodwyn, Oden, Selman, Shumate, Albea, Steagall, Thomas, Tyson, Jenkins, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice and Harrison:

H. 568. To amend Sections 207, Title 26, Code of Alabama 1940, as amended, the same relating to weekly benefit amount, and 208, Title 26, Code of Alabama 1940, the same relating to weekly benefit for unemployment, both relating to unemployment compensation.

Judiciary.

By Messrs. Hawkins, Goodwyn, Oden, Selman, Shumate, Albea, Steagall, Thomas, Tyson, Jenkins, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice and Harrison:

H. 569. To amend Section 287 of Title 26, Code of Alabama 1940, as amended, the same relating to the order in which total dependents take compensation under the workmen's compensation law.

Judiciary.

By Messrs. Hawkins, Goodwyn, Oden, Selman, Shumate, Albea, Steagall, Thomas, Tyson, Jenkins, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice and Harrison:

H. 570. To amend Section 292 of Title 26, Code of Alabama 1940, as amended, the same relating to the waiting period in temporary disability claims under the workmen's compensation law.

Judiciary.

By Messrs. Hawkins, Goodwyn, Oden, Selman, Shumate, Albea, Steagall, Thomas, Jenkins, Tyson, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice and Harrison:

H. 571. To amend Section 194 of Title 26, Code of Alabama 1940, as amended, the same pertaining to the definition of a "Benefit Year."

Judiciary.

By Messrs. Hawkins, Goodwyn, Oden, Selman, Shumate, Albea, Steagall, Thomas, Tyson, Jenkins, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice and Harrison:

H. 572. To amend Section 213 of Title 26, Code of Alabama 1940, as amended, the same relating to benefit eligibility conditions for unemployment compensation.

Judiciary.

By Messrs. Hawkins, Goodwyn, Oden, Selman, Shumate, Albea, Steagall, Thomas, Jenkins, Tyson, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice and Harrison:

H. 573. To amend Section 293 of Title 26, Code of Alabama 1940, as amended, the same relating to medical, surgical and hospital service under the workmen's compensation law.

Judiciary.

By Messrs. Hawkins, Goodwyn, Oden, Selman, Shumate, Albea, Steagall, Thomas, Jenkins, Tyson, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice, and Harrison:

H. 574. To amend Section 279, Title 26, Code of Alabama 1940, as amended, which deals with the schedule of compensation under the Workmen's Compensation Law.

Judiciary.

By Messrs. Hawkins, Goodwyn, Oden, Selman, Shumate, Albea, Steagall, Thomas, Jenkins, Tyson, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice and Harrison:

H. 575. To amend Section 283 of Title 26, Code of Alabama 1940, as amended, the same relating to death compensation under the workmen's compensation law.

Judiciary.

By Messrs. Hawkins, Goodwyn, Oden, Selman, Shumate, Albea, Steagall, Thomas, Jenkins, Tyson, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice and Harrison:

H. 576. To amend Act No. 689 of the 1947 Legislature, entitled: "An Act to establish a special Trust Fund to be known as the Second Injury Trust Fund for the use and benefit of employees who suffer certain second injuries in the nature of permanent total disability, to require employers to pay into said Second Injury Trust Fund a lump sum certain upon the death of an employee covered by the Workmen's Compensation Law when there is no person entitled to workmen's compensation, to provide for the escheat to said Second Injury Trust Fund of judgments under the Employer's Liability Act if there is no person to whom the judgment may be paid, to authorize the Director of Industrial Relations to act as Trustee for said Fund, to authorize the State Treasury to act as Custodian of said Fund with power of investment and reinvestment of monies paid into said Fund, to authorize payments to be made therefrom for compensation for certain second injuries, and to provide a method for adjudicating claims made against the Trustee of said Fund."

Judiciary.

By Messrs. Hawkins, Oden, Selman, Shumate, Albea, Steagall, Thomas, Jenkins, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice and Harrison:

H. 577. To amend Section 309 of Title 26, Code of Alabama 1940, as amended, the same relating to employers' rights to insure risks under the Workmen's Compensation Law.

Judiciary.

By Messrs. Hawkins, Goodwyn, Oden, Selman, Shumate, Albea, Steagall, Thomas, Jenkins, Tyson, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice and Harrison:

H. 578. To amend Section 289 of Title 26, Code of Alabama 1940, as amended, the same relating to the limitations on compensation under the workmen's compensation law.

Judiciary.

By Messrs. Hawkins, Goodwyn, Oden, Selman, Shumate, Albea, Steagall, Thomas, Tyson, Jenkins, McClendon, Payne, Franklin, Solomon, Brassell, Crook, Hare, Murphy, Simon, Hanby, Gist, Lackey, Edwards (Jefferson), Vacca, Nice and Harrison:

H. 579. To amend Section 214 of Title 26, Code of Alabama 1940, as amended, the same relating to disqualification for unemployment compensation benefits.

Judiciary.

By Messrs. Holliman and Kirkham (with notice and proof):

H. 580. To amend an Act entitled "An Act to further provide for and regulate the selection, qualification and election of the members of the Board of Education of Marengo County," approved July 8, 1935 (Act No. 183, S. 234, Local Acts of Alabama, 1935, p. 106).

Local Legislation No. 1

Notice and Proof H. 580:

NOTICE OF LOCAL BILL

STATE OF ALABAMA
COUNTY OF MARENGO

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend an Act entitled "An Act to further provide for and regulate the selection, qualification, and election of the members of the Board of Education of Marengo County," approved July 8, 1935 (Act No. 183, S. 234, Local Acts of Alabama, 1935, p. 106).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 2, 3, and 4 of an Act entitled "An Act to further provide for and regulate the selection, qualification and election of the members of the Board of Education of Marengo County," approved July 8, 1935, (Act No. 183, S. 234, Local Acts of Alabama, 1935, p. 106), are amended to read as follows:

"Section 2. The president of the Board of Education of Marengo County shall be elected by the qualified electors of the county-at-large, shall be a qualified elector of, and reside in the county. A member of the board shall be elected for each of the four school districts herein provided for, and he shall have been a resident and qualified elector of such district for at least two years next preceding his election. The four school districts shall be composed of the elections precincts of the county as now constituted or as they may hereafter be changed by law. The school districts shall be called respectively the Northeastern School District, the Southeastern School District, the Southwestern School District, and the Northwestern School District. The Northeastern School District shall be composed of the following election precincts: Magnolia, Pine-Dayton, Thomaston, and McKinley; the Southeastern School District shall be composed of the following election precincts: Faunsdale, Maconville, Dixon's Mill and Shiloh; the Southwestern School District shall be composed of the following election precincts: Myrtlewood, Hills, Nana-falia, Horse Creek, Hoboken, and Sweet Water; the Northwestern School District shall be composed of the following election precincts: Demopolis, Jefferson, Spring Hill, Jackson's Store and Linden.

"Section 3. A president of the Board of Education of Marengo County shall be elected by the qualified electors of Marengo County at the general election to be held in November, 1960, and every four years thereafter, for a term to begin on the first Monday after the second Tuesday in January next following his election and continue for four years, and until his successor is elected and qualified. The president shall be a member and the presiding officer of the board, and he shall have the same rights, privileges, powers and authority and shall perform the same duties, take the same oath, and receive the same compensation as the other members thereof, and in addition he shall have all the power and authority and perform all of the duties now or hereafter required of the president of county boards of education under the general laws of Alabama.

"Section 4. All members of the Board of Education of Marengo County, except the president, shall be elected at large by the qualified

voters of Marengo County at the general election to be held in November, 1956, and every four years thereafter, for a term to begin on the first Monday after the second Tuesday in January next following their election and continue for four years and until their successors are elected and qualified."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

May-5-12-19-26-c

AFFIDAVIT OF PUBLICATION

THE STATE OF ALABAMA,
MARENGO COUNTY.

Before me, the undersigned authority, in and for said State and County, personally appeared R. E. SUTTON, who is known to me, and who, being by me first duly sworn, deposes and says:

That he is the publisher of The Democrat-Reporter, a newspaper published at Linden, in Marengo County, Alabama, and that the said Democrat-Reporter is printed in said Marengo County, Alabama, and is of general circulation in said County, and has been mailed under a second class mailing privilege at the United States Post Office at Linden, Alabama, regularly each and every week for a period of more than fifty-two (52) consecutive weeks prior to the publication of the Legal Notice, or Advertisement, of Notice of Local Bill Amend Act Election of Board of Education, copy of which is hereto attached, and further that said Legal Notice, or Advertisement, was published in the said newspaper, The Democrat-Reporter, for Four consecutive weeks, to-wit:—in the issues dated May 5, 1955, May 12, 1955, May 19, 1955, May 26, 1955, and that each of said above issues was duly circulated among the subscribers of said newspaper.

R. E. SUTTON,
Publisher of The Democrat-Reporter.

Sworn to and subscribed before me this 20 day of June, 1955.

DOROTHY AYDILOTT,
Notary Public.

My Commission expires Aug., 1955.

By Messrs. Brewer and Haltom:

H. 581. To regulate further the issuance and recording of certificates of judgments of courts of record.

Judiciary.

By Messrs. Boyd, Thomas, Solomon and Crook:

H. 582. To raise revenue; levying an additional privilege license tax on all persons, firms, or corporations producing, bottling, or distributing bottled soft drinks in the State of Alabama; providing for the enforcement and collection of the tax and the distribution of the proceeds thereof; and prescribing penalties for violations of this Act.

Ways and Means.

By Messrs. Harrison, Kendall, Hawkins, Gilchrist, Callahan, defraferried, Ashworth, Ward, Boyd, Bassett, Wood and Nolen:

H. 583. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance for school building purposes of not exceeding \$150,000,000 principal amount of general obligation bonds of the State of Alabama additionally secured by a pledge of certain state taxes.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Mr. Harrison:

H. 584. To provide for and authorize for any municipality in the State the incorporation of a board, as a public corporation, for the purpose of acquiring, owning, leasing, equipping, improving, maintaining, and enlarging a medical clinic within the municipality; to provide for the powers, authority, and duties of such board; to authorize each such board to borrow money and issue revenue bonds, payable solely from the rentals and other revenues derived from the medical clinic or its facilities financed by such bond issue; to authorize the board to pledge its rentals and other revenues for the payment of such bonds; to regulate the issuance, sale, and refunding of such bonds and other matters in connection therewith; to exempt from taxation the properties acquired under authority of this Act and the rentals thereof, the bonds and income therefrom, mortgages executed as security therefor, and lease agreements made hereunder; to provide that the bonds issued by such boards shall be legal investments for saving banks and insurance companies organized under the laws of Alabama; and to prescribe the purposes for which the proceeds derived from the sale of such bonds may be used.

Local Government.

By Messrs. Callahan and deGraffenried:

H. 585. Relating to Counties having a population of not less than 94,000 nor more than 134,000 inhabitants according to the last or any subsequent decennial census of the United States; regulating the business of operating certain cemeteries within such Counties.

Local Legislation No. 1.

By Messrs. Oden, Brown (Lamar), Branyon and Davis:

H. 586. To appropriate out of any monies in the State Treasury not otherwise appropriated, the sum of \$885,000.00 for each of the fiscal years ending September 30, 1956 and September 30, 1957, to the Armory Commission of Alabama to be used for the erection, construction and equipping of armories for the Alabama National Guard and for the Air National Guard in the State and for the repair and equipping of existing armories for the Alabama National Guard and for the Air National Guard in the State.

Ways and Means.

By Messrs. Dawkins and Hawkins:

H. 587. To provide for the affixing of tobacco tax stamps on tobacco products, where it would be in the best interest of the State, by contract or contracts to be made by the Commissioner of Revenue for such purpose, and to also provide that in cases where such contracts are made that the discount provided for in Section 728 of Title 51, Code of Alabama 1940, as amended, shall not apply; but in lieu thereof the Commissioner of Revenue may allow on such contracts a discount on the purchase of such stamps at a rate not to exceed ten per cent of the face value of the tobacco tax stamps purchased.

Ways and Means.

By Messrs. Adams and Johnson (Tallapoosa) (with notice and proof):

H. 588. Relating to Tallapoosa County; fixing the compensation of the deputies to the sheriff of Tallapoosa County; and repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 588:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tallapoosa County; fixing the compensation of the deputies to the sheriff of Tallapoosa County; and repealing conflicting laws.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The deputies to the sheriff of Tallapoosa County shall receive the following compensation: The chief deputy sheriff shall receive a salary of three thousand nine hundred dollars (\$3,900.00) per annum; the deputy sheriff at Alexander City shall receive a salary of three thousand six hundred dollars (\$3,600.00) per annum; the deputy sheriff at East Tallassee shall receive a salary of three thousand six hundred dollars (\$3,600.00) per annum; the deputy sheriff at Dadeville shall receive a salary of two thousand seven hundred dollars (\$2,700.00) per annum; and the deputy sheriff at Daviston shall receive a salary of one thousand two hundred dollars (\$1,200.00) per annum. The salaries of such deputies to the sheriff shall be paid out of the general fund of the county in equal monthly installments, payable on the first day of each month, on warrants drawn by the judge of probate.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

(May 26 June 2-9-16-c)

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. B. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Dadeville Record, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 26, June 2, June 9, and June 16, all in the year 1955.

R. J. BOZEMAN, JR.

Sworn to and subscribed before me June 16, 1955.

J. T. FARROW,
Circuit Clerk.

By Mr. Hare (with notice and proof):

H. 589. To alter, rearrange, extend and establish the boundary lines and corporate limits of the Town of Monroeville, Monroe County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 589:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be

introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

To alter, rearrange, extend and establish the boundary lines and corporate limits of the Town of Monroeville, Monroe County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. That the boundary and corporate limits of the Town of Monroeville, Alabama, Monroe County, are hereby altered, rearranged, extended and established so that all of the lands embraced within the following boundaries are within the corporate limits of such municipality:

Beginning at a point that is 264 feet North and 363 feet West of the Southeast corner of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 22, Township 7 North, Range 7 East, thence East 18,431 feet to a point being 264 feet North and 412 feet West of SE corner of Section 19, Township 7 North, Range 8 East, thence South 18,431 feet to a point being 314 feet North and 412 feet West of SE corner of SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 7, Township 6 North, Range 8 East, thence West 18,431 feet to a point 314 feet North and 363 feet West of Southeast corner of SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 10, Township 6 North, Range 7 East, thence North 18,431 feet to point of beginning. All of which lands in this above description are located in Monroe County, Alabama.

SECTION 2. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

SECTION 3. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

This 21st March, 1955.

L. D. MORRIS,
Mayor.

Attest:
L. L. HENDRIX, Clerk.

PROOF OF PUBLICATION

STATE OF ALABAMA
County of Monroe

Before me, the undersigned authority in and for said County in said State, this day personally appeared Tom Gardner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was business manager of the Monroe Journal, a newspaper of general circulation published in Monroeville County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 14, April 21, April 28, and May 5, all in the year 1955.

TOM GARDNER.

Sworn to and subscribed before me June 27, 1955.

JOHN D. BONHAM,
Notary Public.

By Mr. McKay:

H. 590. To amend Section 133, Title 5, Code of Alabama (1940), which relates to the charging of exchange by banks.

Local Government.

By Mr. Edwards (Escambia):

H. 591. Abolishing the state board of health and the state committee of public health as presently constituted, and creating in lieu thereof the state board of public health; providing for the appointment, terms, compensation, powers, duties and authority of members of the state board of public health; fixing the jurisdiction of the state board of public health, and prescribing the powers and authority of the board; providing for the appointment, term, compensation, powers, duties and authority of the state health officer; and repealing conflicting laws.

Health.

By Messrs. Perry, Meeks, Nice, Lackey, Kaul, Vacca and Edwards (Jefferson):

H. 592. To fix the salaries of the Fourth, Fifth and Sixth Deputy Circuit Solicitors of the Tenth Judicial Circuit of Alabama payable by the State.

Ways and Means.

BILLS ON THIRD READING

H. 413. Relating to Elmore County; changing the method of compensating certain county officers; placing such officers on a salary; and providing for their assistants, and the office space and equipment necessary for the conduct of their offices.

Was taken up.

Mr. Law offered the following substitute for the bill, H. 413:

A BILL TO BE ENTITLED AN ACT

Relating to Elmore County; changing the method of compensating certain county officers; placing such officers on a salary; and providing for their assistants, and the office space and equipment necessary for the conduct of their offices.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following officers of Elmore County shall receive the following annual salaries in lieu of all other compensation:

(a) Judge of Probate — seven thousand two hundred dollars (\$7,200);

(b) Sheriff — six thousand dollars (\$6,000);

(c) Tax Assessor — six thousand dollars (\$6,000);

(d) Tax Collector — five thousand four hundred dollars (\$5,400);

(e) Circuit Clerk — six thousand dollars (\$6,000), for performing the duties of clerk and register of the circuit court, and of clerk of the county court.

Section 2. The court of county commissioners, board of revenue, or like governing body of Elmore County shall provide compensation for clerks, assistants, and deputies for the officers enumerated in this Act in such number as may be necessary for the efficient conduct of their offices: provided, the probate judge shall not be allowed more than two full time clerks; the sheriff shall not be allowed more than five deputies, clerks, jailers, or assistants; and each of the other officers shall not be

allowed to appoint but one deputy, clerk, or assistant. Temporary clerks, deputies, or assistants may be allowed any of such officers from time to time as deemed necessary by the county governing body. Each officer shall appoint his own deputies, clerks, and assistants, and shall fix their compensation, subject to the approval of the board of revenue, court of county commissioners or like county governing body as to number and rate of pay.

Section 3. All fees, commissions, allowances, percentages, charges, and costs heretofore collected for the use of any of the officers enumerated in Section 1 of this Act shall be collected for the use of the county and paid into the general fund of the county. The compensation of the officers enumerated in Section 1 of this Act and of their clerks, deputies, and assistants shall be paid in equal monthly installments from the general fund of the county in the same manner as employees of the county are paid.

Section 4. The court of county commissioners, board of revenue, or like governing body of Elmore County shall provide the Judge of Probate, Sheriff, Tax Assessor, Tax Collector, and the Circuit Clerk with the necessary quarters, books, stationery, office equipment, supplies, postage, and other conveniences and equipment for the proper and efficient conduct of the affairs of their offices, including the purchase of automobiles for the use of the Sheriff and his deputies on official business.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective as to each officer named herein at the expiration of the term of the incumbent of the offices, provided that there is adopted an amendment to the Constitution of Alabama authorizing the Legislature to fix, alter, and regulate the fees, commissions, percentages, allowances, or salaries of, and the method of compensating, the Judge of Probate, Sheriff, Tax Assessor, Tax Collector, Circuit Clerk, and Register in Chancery of Elmore County.

And the substitute was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Davis	Hanby	Lee (Lawrence)
Adams	Dawkins	Hardy	Locke (Choctaw)
Albea	Dement	Harrison	Locke (Perry)
Ashworth	DeSear	Harvey	Love
Bassett	Dickson	Hawkins	McClendon
Boyd	Edwards (Escambia)	Hodges	McKay
Bradford	Edwards (Jefferson)	Holliman	McLendon
Brannan	Faulk	Hunt	McNider
Branyon	Ferrell	Jenkins	Martin
Brassell	Franklin	Johnson (Elmore)	Mathews
Broadfoot	Gilchrist	Johnson (Tallapoosa)	Mathison
Brooks	Gist	Kelly	Meeks
Brown (Lamar)	Goodwyn	Kendall	Molette
Burkhalter	Grouby	Killough	Money
Callahan	Hain	Kirkham	Murphy
Cornett	Hall	Lackey	Nettles
Crook	Haltom	Law	Nice

Nolen	Richardson	Stembridge	Tyson
Oakley	Roberts	Stokes	Vacca
Payne	Solomon	Summerlin	Ward
Pruitt	Speaks	Taylor	Windle
Ramey	Steagall	Thomas	Wood
Reynolds			

—89

And said bill, H. 413, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0. ,

Yeas:

Mr. Speaker	Ferrell	Kelly	Nettles
Adams	Franklin	Killough	Nice
Albea	Gilchrist	Kirkham	Nolen
Ashworth	Gist	Lackey	Oakley
Bassett	Gregory	Law	Oden
Boyd	Grouby	Lee (Barbour)	Payne
Bradford	Hain	Lee (Lawrence)	Pruitt
Brannan	Hall	Locke (Choctaw)	Ramey
Branyon	Haltom	Locke (Perry)	Reynolds
Brassell	Hanby	Love	Richardson
Brewer	Hardy	McCleendon	Roberts
Broadfoot	Harrison	McKay	Solomon
Brooks	Harvey	McLendon	Steagall
Brown (Lamar)	Hawkins	McNider	Stembridge
Burkhalter	Hodges	Martin	Summerlin
Callahan	Holliman	Mathews	Thomas
Cornett	Huddleston	Mathison	Tyson
Davis	Hunt	Meeks	Vacca
Dement	Jenkins	Molette	Ward
DeSear	Johnson (Elmore)	Money	Windle
Edwards (Escambia)	Johnson (Tallapoosa)	Murphy	Wood
Edwards (Jefferson)			

—85

And the bill:

H. 490. Relating to counties having a population of not less than twenty two thousand (22,000) nor more than twenty three thousand (23,000) inhabitants according to the 1950 census of the United States; Providing for the disbursement of gasoline tax moneys received from the State on a county-wide basis under the direction of the county governing body and the supervision of the county engineer for the establishing, constructing, repairing and maintenance of county roads and bridges; powers and duties of the county engineer; designating the Judge of Probate, Chairman of Court of County Commissioners, as Purchasing Agent for the county; regulating the purchase of supplies, materials, equipment and contractual services in such county; placing County Commissioners on salary.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Bassett	Branyon	Brown (Lamar)
Adams	Boyd	Brassell	Burkhalter
Albea	Bradford	Brewer	Callahan
Ashworth	Brannan	Broadfoot	Cornett

Davis	Hardy	Locke (Perry)	Pirkle
Dawkins	Harrison	Love	Pruitt
deGraffenried	Harvey	McClendon	Ramey
Dement	Hawkins	McKay	Reynolds
DeSear	Hodges	McLendon	Roberts
Dickson	Holliman	McNider	Simon
Edwards (Escambia)	Huddleston	Martin	Solomon
Edwards (Jefferson)	Hunt	Mathews	Speaks
Faulk	Jenkins	Mathison	Steagall
Ferrell	Johnson (Elmore)	Meeks	Stembridge
Franklin	Johnson (Tallapoosa)	Molette	Stokes
Gilchrist	Kelly	Money	Summerlin
Gist	Kendall	Murphy	Taylor
Goodwyn	Killough	Nettles	Thomas
Gregory	Kirkham	Nice	Tyson
Grouby	Lackey	Nolen	Vacca
Hain	Lee (Barbour)	Oakley	Ward
Hall	Lee (Lawrence)	Oden	Windle
Hanby	Locke (Choctaw)	Payne	Wood

—92

And the bill:

H. 491. Relating to Pike County; abolishing the fine and forfeiture fund, providing for a transfer of the money held in such fund to the general fund of the county, providing that all revenues accruing to the fine and forfeiture fund of said county as provided by law shall hereafter be paid into the general fund of the county and that all claims which are registered against or payable out of the fine and forfeiture fund, as prescribed by law, shall be paid out of the general fund of the county, and repealing an Act entitled "An act to regulate the fine and forfeiture fund of Pike County, Alabama, and provide for the registration and payment of claims against said fund." (Act No. 343, Approved September 17, 1919, Local Acts, 1919, page 138).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	deGraffenried	Holliman	Meeks
Adams	Dement	Huddleston	Molette
Albea	Dickson	Hunt	Murphy
Ashworth	Edwards (Escambia)	Johnson (Elmore)	Nettles
Bassett	Edwards (Jefferson)	Kelly	Nice
Boyd	Faulk	Kendall	Nolen
Bradford	Ferrell	Killough	Oakley
Brannan	Franklin	Kirkham	Oden
Branyon	Gist	Lackey	Payne
Brassell	Goodwyn	Law	Perry
Brewer	Grouby	Lee (Barbour)	Pirkle
Broadfoot	Hain	Lee (Lawrence)	Pruitt
Brooks	Hall	Locke (Choctaw)	Ramey
Brown (Lamar)	Haltom	McClendon	Reynolds
Brown (Lee)	Hanby	McKay	Roberts
Callahan	Hardy	McLendon	Simon
Cornett	Harrison	McNider	Solomon
Cox	Harvey	Martin	Speaks
Davis	Hawkins	Mathews	Steagall
Dawkins	Hodges	Mathison	Stembridge

Summerlin	Tyson	Ward	Wood
Thomas	Vacca	Windle	

—87

And the bill:

H. 492. Relating to Pike County; proposing an amendment to the Constitution of Alabama to provide that the Legislature may from time to time, by general or local laws, fix, alter and regulate the costs and charges of courts in Pike County and the method of disbursement thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Kelly	Nolen
Adams	Edwards (Jefferson)	Kendall	Oakley
Albea	Faulk	Killough	Oden
Ashworth	Ferrell	Kirkham	Payne
Bassett	Franklin	Lackey	Perry
Boyd	Gilchrist	Law	Pirkle
Bradford	Gist	Lee (Barbour)	Pruitt
Brannan	Goodwyn	Lee (Lawrence)	Ramey
Branyon	Gregory	Locke (Choctaw)	Reynolds
Brassell	Grouby	Locke (Perry)	Richardson
Brewer	Hain	Love	Roberts
Broadfoot	Hall	McClendon	Simon
Brooks	Haltom	McKay	Solomon
Brown (Lamar)	Hanby	McLendon	Speaks
Brown (Lee)	Hardy	McNider	Steagall
Callahan	Harrison	Martin	Stembridge
Cornett	Harvey	Mathews	Summerlin
Cox	Hawkins	Mathison	Taylor
Crook	Hodges	Meeks	Thomas
Davis	Holliman	Molette	Tyson
Dawkins	Huddleston	Money	Vacca
deGraffenried	Hunt	Murphy	Ward
Dement	Jenkins	Nettles	Windle
DeSear	Johnson (Elmore)	Nice	Wood
Dickson			

—97

And the bill:

H. 378. To provide that it shall be mandatory that the quota provisions of Sections 205-231, Code of Alabama, 1940, be applicable only to wholesale producer licensees of the Alabama State Milk Control Board with an exception.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 11.

Yeas:

Mr. Speaker	Brannan	Brooks	Dawkins
Ashworth	Branyon	Brown (Lamar)	deGraffenried
Bassett	Brassell	Cornett	Dement
Boyd	Brewer	Cox	DeSear
Bradford	Broadfoot	Crook	Dickson

Edwards (Escambia)	Holliman	McLendon	Ramey
Ferrell	Hunt	McNider	Reynolds
Franklin	Jenkins	Martin	Richardson
Gilchrist	Johnson (Elmore)	Mathews	Simon
Gist	Kelly	Mathison	Solomon
Goodwyn	Kendall	Molette	Speaks
Gregory	Killough	Money	Steagall
Grouby	Kirkham	Murphy	Stembridge
Hain	Law	Nettles	Summerlin
Hall	Lee (Barbour)	Nolen	Taylor
Haltom	Lee (Lawrence)	Oakley	Thomas
Hardy	Locke (Choctaw)	Oden	Tyson
Harrison	Locke (Perry)	Payne	Ward
Harvey	McClendon	Pirkle	Windle
Hodges	McKay	Pruitt	Wood

—80

Nays:

Messrs.	Edwards (Jefferson)	Kaul	Nice
Adams	Hanby	Love	Perry
Callahan	Hawkins	Meeks	Vacca

—11

And the bill:

H. 41. Relating to the industrial development of the State of Alabama; to create a Department of Industrial Development; to provide for the appointment of the Director thereof and to fix his compensation; to define the powers and duties of said Department and Director; to authorize the creation of divisions within said Department and the appointment of the personnel thereof; to provide for an Industrial Development Board and for the appointment, terms and compensation of its members; to prescribe its powers, duties and authority; to transfer the powers, authority, duties, functions, funds, books, records, furniture, fixtures, supplies and equipment from the State Planning Board to the Department of Industrial Development; to abolish the State Planning Board; to repeal an act entitled "An Act To create a State Planning Board and to provide for the appointment, removal, term, and compensation of the members thereof; to fix the powers, authority, and duties of the board; to provide for the appointment of a director of the board and for the selection of employees; and to make an appropriation for the maintenance and operation of the board", approved June 18, 1943.

Was again taken up.

The question was upon the adoption of the substitute offered by Mr. Oden for the bill, H. 41, said substitute being set out in the Journal of the House on the seventh legislative day.

On motion of Mr. Oden the substitute offered by him on the seventh legislative day was laid upon the table.

Mr. Oden offered the following substitute for the bill, H. 41:

SUBSTITUTE OF H. B. 41
A BILL
TO BE ENTITLED
AN ACT

Relating to the industrial development of the State of Alabama; to create a department of Industrial Development, provide for the appointment of the Director thereof and fix his compensation; define the powers and duties of said Department and Director, authorize the

creation of divisions within said Department and the appointment of the personnel thereof; provide for an Industrial Development Board and for the appointment, terms and compensation of its members, prescribe its powers, duties and authority; transfer certain powers, authority, duties, functions, books, and records from the State Planning Board to the Department of Industrial Development; transfer the functions, power, authority, duties, funds, books, records, furniture, fixtures, supplies, equipment, and personnel of the Department of Publicity and Information, and of the director thereof, to the Department of Industrial Development, and abolish the Department of Publicity and Information.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Department of Industrial Development—Creation.—(a) There is hereby created a department of the State of Alabama which shall be known as the Department of Industrial Development. The department shall be headed by and be under the direction of the Director of Industrial Development, who shall be appointed by the Governor. Suitable office space shall be provided the department in the City of Montgomery. The department shall aid, encourage, protect, and promote existing industries and commercial enterprises of the State by any means deemed appropriate; give technical research and advisory aid to existing industry and commerce in the State; advertise nationally the State's industrial and commercial advantages; advocate advantages of location within the State to industrial and commercial prospects through personal contact by traveling representatives, by furnishing specially prepared studies, by correspondence, printed materials, and other appropriate means; maintain a staff of experienced personnel capable of providing prompt, informed cooperation to industry and commercial enterprises; provide industrial and commercial prospects with up-to-date factual reports on available plant sites, buildings, warehouse and distribution locations and existing structures, labor, water, gas, and electric power, taxes, wages and salaries, and other basic locational data; conduct industrial and commercial prospects on field inspections of potential plants or commercial locations; assist cities, towns, counties, areas and regions in the survey and analysis of their industrial resources and needs; counsel on new or additional industrial plant or commercial building construction; coordinate and present effectively the interests, resources, and advantages of every community in the State capable of meeting operational requirements of industrial and commercial prospects; bring the State's industrial and commercial opportunities to the attention of investors and other entrepreneurs, both within and without the State; and foster increased employment opportunities within the State.

Section 2. Director—Appointment, Compensation, Bond.—The Director of the Department of Industrial Development shall take the constitutional oath of office required of other state officers and shall execute a bond for the faithful performance of his duties in the sum of twenty-five thousand dollars with a surety company authorized to do business in the State of Alabama, to be approved by the Governor and filed in the office of the Secretary of State. The salary of the Director shall be fixed by the Governor in an amount not exceeding ten thousand dollars per annum, and shall be paid as the salaries of other state officers are paid. The Director of Industrial Development shall devote his full time to his official duties, and shall serve at the pleasure of the Industrial Development Board.

Section 3. Director—Powers—Duties—Personnel.—(a) The director shall establish within the department a division of plans and a division of development and such other units as may be necessary or convenient in the efficient and expeditious performance of the functions

and duties of the Department of Industrial Development. He may assign and re-assign functions and duties. All functions and duties of the department shall be exercised by the director acting by and through such administrative divisions or offices as he may designate, and he shall have all power and authority necessary or convenient to carry out the functions and duties of the department and the directives of the Industrial Development Board hereinafter provided for. The appointment of chiefs of divisions and all other employees and personnel of the department shall be made by the director subject to the provisions of the Merit System Act.

(b) There is hereby transferred to the Department of Industrial Development all the functions, power, authority, duties, books, and records of the State Planning Board and of the director thereof insofar as they relate to industrial development.

(c) The functions, power, authority, duties, funds, books, records, furniture, fixtures, supplies, equipment, and personnel of the Department of Publicity and Information, and of the director thereof, are hereby transferred to the Department of Industrial Development; and hereafter the functions of the Department of Publicity and Information shall be exercised and performed by the division of development of the Department of Industrial Development.

Section 4. The Industrial Development Board—Creation—Members.—There is hereby created and established an Industrial Development Board, which shall consist of nine members, who shall be appointed by the Governor, one from each congressional district, to serve two year terms. The Governor shall be ex officio chairman of the Board. The Commissioner of Agriculture and Industries shall be an ex officio member of the Board. A vice-chairman shall be elected from among the appointed members of the Board, who shall preside at all meetings of the Board in the absence of the Governor. The Director of the Department of Industrial Development shall be the Secretary of the Board. Members of the Board shall hold office at the pleasure of the Governor for terms of two years. The appointed members of the Board shall be reimbursed actual expenses incurred in attending such meetings of the Board when approved by the Governor. The Board may have an appropriate seal with such words and emblem as it may prescribe. A majority of the Board shall constitute a quorum for the transaction of business. The secretary shall notify each member in writing of all meetings of the Board in such manner and under such rules and regulations as the Board may prescribe. The Board shall adopt rules and regulations for the transaction of its business; and the secretary shall keep a record of all its proceedings and furnish a copy of same to each member of the Board upon request therefor. No person holding a public office or public employment shall be eligible for appointment as a member of the Board.

Section 5. Industrial Development Board—Powers and Duties.—The Industrial Development Board shall proceed with a plan and program of information and publicity designed to attract new industries to Alabama and to encourage and coordinate the efforts of other public and private organizations or groups of citizens to publicize the advantages and attractions of Alabama to the same end. It shall publicize and promote the economic advantages offered within the State of Alabama, including available labor supply, advantageous industrial locations and other attractions to make it a desirable place for industry. It shall have the power to contract with agencies of any type or wherever situated that would tend to promote the objectives of this Act; to contract with or enter into cooperate agreements with such individuals, partnerships, corporations, public or private associations, societies, educational institutions, chambers of commerce, and other organized groups as may be

deemed advantageous and proper to effectuate the intent and purpose of this Act. It may accept unconditional gifts or money to be expended in the furtherance of the purposes of this Act.

Upon the request of the department, the Governor may, from time to time, for the purpose of making or assisting in special surveys under the director of the department, assign or detail to the department members of the staff or personnel of any state administrative department, bureau, institution, or agency, or may direct any such department, bureau, institution, or agency, to make for the department special surveys or studies requested by the department.

Section 6. Industrial Development Advisory Committee—There shall be established an industrial development advisory committee consisting of sixty-seven members appointed by the Governor, one from each county in the state.

Section 7. The Department of Publicity and Information Abolished.—The Department of Publicity and Information is hereby abolished.

Section 8. Repeal.—All laws and parts of laws, general, special, private or local, in conflict with or inconsistent with the provisions of this Act are hereby repealed.

Section 9. Severability.—The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the part or parts which remain.

Section 10. Effective Date.—This Act shall become effective immediately upon its passage and approval of the Governor, or upon its otherwise becoming law.

And the substitute was adopted.

Yeas 103; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Kaul	Oden
Adams	Edwards (Jefferson)	Kelly	Payne
Albea	Faulk	Kendall	Perry
Ashworth	Ferrell	Killough	Pirkle
Bassett	Franklin	Lackey	Pruitt
Boyd	Gilchrist	Law	Ramey
Bradford	Gist	Lee (Barbour)	Reynolds
Brannan	Goodwyn	Lee (Lawrence)	Richardson
Branyon	Gregory	Locke (Choctaw)	Roberts
Brassell	Grouby	Locke (Perry)	Selman
Brewer	Hain	Love	Shumate
Broadfoot	Hall	McClendon	Simon
Brooks	Haltom	McKay	Solomon
Brown (Lamar)	Hanby	McLendon	Speaks
Brown (Lee)	Hardy	McNider	Steagall
Burkhalter	Hare	Martin	Stembridge
Callahan	Harrison	Mathews	Stokes
Cornett	Harvey	Mathison	Summerlin
Cox	Hawkins	Meeks	Taylor
Crook	Hodges	Molette	Thomas
Davis	Holliman	Money	Tyson
Dawkins	Huddleston	Murphy	Vacca
deGraffenried	Hunt	Nettles	Ward
Dement	Jenkins	Nice	Windle
DeSear	Johnson (Elmore)	Nolen	Wood
Dickson	Johnson (Tallapoosa)	Oakley	

And said bill, H. 41, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Elmore)	Nolen
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Oakley
Albea	Edwards (Jefferson)	Kelly	Oden
Ashworth	Faulk	Kendall	Payne
Bassett	Ferrell	Killough	Pirkle
Boyd	Franklin	Lackey	Pruitt
Bradford	Gilchrist	Law	Ramey
Brannan	Gist	Lee (Barbour)	Reynolds
Branyon	Goodwyn	Lee (Lawrence)	Richardson
Brassell	Gregory	Locke (Choctaw)	Roberts
Brewer	Grouby	Locke (Perry)	Selman
Broadfoot	Hain	Love	Shumate
Brooks	Hall	McClendon	Simon
Brown (Lamar)	Haltom	McKay	Solomon
Brown (Lee)	Hanby	McLendon	Speaks
Burkhalter	Hardy	McNider	Steagall
Callahan	Hare	Martin	Stembridge
Cornett	Harrison	Mathews	Stokes
Cox	Harvey	Mathison	Summerlin
Crook	Hawkins	Meeks	Thomas
Davis	Hodges	Molette	Tyson
Dawkins	Holliman	Money	Vacca
deGraffenried	Huddleston	Murphy	Ward
Dement	Hunt	Nettles	Windle
DeSear	Jenkins	Nice	Wood

—100

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 148. To fix the compensation of the superintendent of education in all counties having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census.

Also:

S. 150. Relating to Pickens County: To regulate further the compensation of the county superintendent of education.

Also:

S. 152. To create a Hospital Board in all counties of this state having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent Federal decennial census, provide for the appointment of the members of said Board, their terms of office and compensation, to require said counties and all municipalities located within said counties to make payments to said Hospital Board to aid in the operation of a hospital in said counties and to provide care for charity patients, to require said Hospital Board to operate a hospital in said counties and to prescribe the powers and duties of said Hospital Board, and to provide for meetings of said Board and a

fiscal year for the operations of said Hospital Board.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

RECESS

On motion of Mr. Wood the House recessed until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:00 o'clock P.M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:
By Mr. Flowers:

S. J. R. 35. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that this body, recalling with much pleasure a former occasion when the Honorable Marvin Griffin, then Lieutenant Governor of the State of Georgia, delivered an inspiring address at a joint session of the two houses, does hereby extend to the distinguished Governor of Georgia a cordial invitation to address another joint session of the two houses of the Legislature of Alabama, on such subject as he may choose, at such time as may be convenient to him.

Resolved further, that the President of the Senate shall name two Senators, and the Speaker of the House shall name two Representatives, as a committee on arrangements and entertainment for this occasion.

The President and Presiding Officer of the Senate named as Committee on part of the Senate Messrs. Flowers and Smith.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Hawkins the rules were suspended and the House concurred in and adopted the S. J. R. 35 set out in the above and foregoing Message from the Senate.

And the Speaker named as Committee on part of the House Messrs. McNider and Stembridge.

RESOLUTION

The following resolution was introduced:

By Mr. Edwards (Escambia):

H.J.R. 40. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses ad-

journal today, they adjourn to meet again on Friday, July 1, 1955, and when they adjourn on Friday, July 1, 1955, they adjourn to meet again on Tuesday, July 12, 1955.

The motion of Mr. Edwards (Escambia) to suspend the rules in order to bring up for immediate consideration the above and foregoing H.J.R. 40 was lost.

Yeas 10; Nays 77.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Hawkins	Love
Brassell	Ferrell	Kelly	Shumate
Edwards (Escambia)	Gregory		

—10

Nays:

Messrs.	DeSear	Johnson (Elmore)	Nettles
Adams	Dickson	Johnson (Tallapoosa)	Nice
Albea	Faulk	Kaul	Nolen
Ashworth	Franklin	Kendall	Oakley
Bassett	Gilchrist	Killough	Payne
Boyd	Gist	Kirkham	Perry
Bradford	Goodwyn	Lackey	Pirkle
Branyon	Grouby	Law	Pruitt
Brewer	Hain	Lee (Barbour)	Ramey
Brooks	Hall	Lee (Lawrence)	Reynolds
Brown (Lamar)	Haltom	Locke (Choctaw)	Richardson
Brown (Lee)	Hanby	Locke (Perry)	Solomon
Burkhalter	Hardy	McClendon	Speaks
Callahan	Hare	McKay	Summerlin
Cornett	Harrison	McLendon	Taylor
Cox	Harvey	McNider	Tyson
Crook	Hodges	Martin	Vacca
Davis	Holliman	Mathews	Windle
Dawkins	Hunt	Meeks	Wood
deGraffenried	Jenkins		

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And said resolution H.J.R. 40 was referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

H. 45. Proposing an amendment of Section 178 of the Constitution of Alabama, which relates to the qualifications for voting.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 12.

Yeas:

Mr. Speaker	Brassell	deGraffenried	Gilchrist
Adams	Brewer	Dement	Gist
Albea	Brooks	DeSear	Goodwyn
Ashworth	Brown (Lamar)	Dickson	Gregory
Bassett	Burkhalter	Edwards (Escambia)	Grouby
Boyd	Callahan	Edwards (Jefferson)	Hain
Bradford	Cox	Faulk	Hall
Brannan	Crook	Ferrell	Haltom
Branyon	Dawkins	Franklin	Hanby

Hardy	Kendall	Mathews	Selman
Hare	Killough	Mathison	Shumate
Harrison	Kirkham	Meeks	Simon
Hawkins	Lackey	Molette	Solomon
Hodges	Law	Money	Speaks
Holliman	Lee (Lawrence)	Nettles	Steagall
Huddleston	Love	Nice	Stembridge
Hunt	McClendon	Nolen	Summerlin
Jenkins	McKay	Payne	Taylor
Johnson (Elmore)	McLendon	Pirkle	Tyson
Johnson (Tallapoosa)	McNider	Ramey	Vacca
Kaul	Martin	Reynolds	Wood
Kelly			

—85

Nay:

Messrs.	Lee (Barbour)	Perry	Stokes
Brown (Lee)	Murphy	Pruitt	Thomas
Cornett	Oakley	Richardson	Windle
Harvey			

—12

And the bill:

H. 256. Relating to qualifications of electors; amending further Section 12, Title 17, Code of Alabama (1940), as amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 26.

Yeas:

Mr. Speaker	Ferrell	Kelly	Nice
Adams	Franklin	Kendall	Nolen
Ashworth	Gilchrist	Kirkham	Oden
Bassett	Goodwyn	Lackey	Pirkle
Boyd	Gregory	Law	Ramey
Bradford	Hall	Lee (Lawrence)	Reynolds
Brannan	Haltom	Locke (Choctaw)	Richardson
Brassell	Hanby	Locke (Perry)	Selman
Brooks	Hare	Love	Shumate
Brown (Lamar)	Hawkins	McClendon	Simon
Burkhalter	Holliman	McLendon	Solomon
Callahan	Huddleston	McNider	Steagall
Cox	Hunt	Mathison	Stembridge
Crook	Jenkins	Meeks	Taylor
DeSear	Johnson (Elmore)	Molette	Vacca
Dickson	Johnson (Tallapoosa)	Murphy	Windle
Edwards (Escambia)	Kaul	Nettles	Wood
Edwards (Jefferson)			

—69

Nay:

Messrs.	Dement	McKay	Pruitt
Albea	Faulk	Martin	Speaks
Branyon	Gist	Mathews	Stokes
Brewer	Grouby	Money	Summerlin
Brown (Lee)	Harvey	Oakley	Thomas
Cornett	Hodges	Payne	Tyson
deGraffenried	Lee (Barbour)	Perry	

—26

And the bill:

H. 85 (with amendment): Relating to judicial procedure; providing for a three-judge special court to hear and determine applications for injunctions restraining the enforcement, operation, or execution of orders or decisions of the Alabama Public Service Commission.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

JUDICIARY COMMITTEE AMENDMENT TO H. B. NO. 85

Amend Section 4 of H. B. No. 85 by adding at the end of said section the following words:

"Each of the judges so appointed shall receive an expense allowance in the amount of twenty dollars (\$20.00) per day for each day actively engaged in the trial of any case provided for hereunder plus mileage allowed state employees, which sums shall be in addition to any other salary allowed to said judges by law. Provided further that the expense allowance provided for hereunder shall be in lieu of any other expense allowance provided for circuit judges."

Also:

Add the following sentence to Section 5:

"But nothing herein contained shall be construed as a repeal of Sections 94-101, inclusive, of Title 48, Code of Alabama (1940)."

And the amendment was adopted.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kelly	Oakley
Adams	Faulk	Kendall	Oden
Albea	Ferrell	Killough	Payne
Ashworth	Franklin	Kirkham	Pirkle
Bassett	Gilchrist	Lackey	Pruitt
Boyd	Gist	Law	Ramey
Bradford	Goodwyn	Lee (Barbour)	Reynolds
Brannan	Gregory	Lee (Lawrence)	Richardson
Branyon	Grouby	Locke (Choctaw)	Roberts
Brassell	Hain	Locke (Perry)	Selman
Brewer	Hall	Love	Shumate
Brooks	Haltom	McClendon	Simon
Brown (Lamar)	Hanby	McKay	Solomon
Burkhalter	Hardy	McLendon	Speaks
Callahan	Hare	McNider	Steagall
Cornett	Harrison	Martin	Stembridge
Cox	Harvey	Mathews	Stokes
Crook	Hawkins	Mathison	Summerlin
Davis	Hodges	Meeks	Taylor
Dawkins	Holliman	Molette	Thomas
deGraffenried	Huddleston	Money	Tyson
Dement	Hunt	Murphy	Vacca
DeSear	Jenkins	Nettles	Ward
Dickson	Johnson (Elmore)	Nice	Windle
Edwards (Escambia)	Johnson (Tallapoosa)	Nolen	Wood

And said bill, H. 85, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 1.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kelly	Oakley
Adams	Faulk	Kendall	Oden
Albea	Ferrell	Killough	Payne
Ashworth	Franklin	Kirkham	Pirkle
Bassett	Gilchrist	Lackey	Ramey
Boyd	Gist	Law	Reynolds
Bradford	Goodwyn	Lee (Barbour)	Richardson
Brannan	Gregory	Lee (Lawrence)	Roberts
Branyon	Grouby	Locke (Choctaw)	Selman
Brassell	Hain	Locke (Perry)	Shumate
Brewer	Hall	Love	Simon
Brooks	Halton	McClendon	Solomon
Brown (Lamar)	Hanby	McKay	Speaks
Burkhalter	Hardy	McLendon	Steagall
Callahan	Hare	McNider	Stembridge
Cornett	Harrison	Martin	Stokes
Cox	Harvey	Mathews	Summerlin
Crook	Hawkins	Mathison	Taylor
Davis	Hodges	Meeks	Thomas
Dawkins	Holliman	Molette	Tyson
deGraffenried	Huddleston	Money	Vacca
Dement	Hunt	Murphy	Ward
DeSear	Jenkins	Nettles	Windle
Dickson	Johnson (Elmore)	Nice	Wood
Edwards (Escambia)	Johnson (Tallahpoosa)	Nolen	

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Nays: Mr. Perry.

—1

MOTION ADOPTED

The motion of Mr. Dawkins to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 111, was adopted.

And the bill:

H. 111. Making an appropriation to the Board of Trustees of the Cahaba Historical Commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Branyon	Cornett	Dickson
Adams	Brassell	Cox	Edwards (Escambia)
Albea	Brewer	Crook	Edwards (Jefferson)
Ashworth	Brooks	Davis	Faulk
Bassett	Brown (Lamar)	Dawkins	Ferrell
Boyd	Brown (Lee)	deGraffenried	Franklin
Bradford	Burkhalter	Dement	Gilchrist
Brannan	Callahan	DeSear	Gist

Goodwyn	Johnson (Elmore)	Mathews	Selman
Gregory	Johnson (Tallapoosa)	Mathison	Simon
Grouby	Kelly	Meeks	Shumate
Hain	Kendall	Molette	Solomon
Hall	Killough	Money	Speaks
Haltom	Kirkham	Nettles	Steagall
Hanby	Lackey	Nice	Stembridge
Hardy	Law	Nolen	Stokes
Hare	Lee (Barbour)	Oakley	Summerlin
Harrison	Lee (Lawrence)	Oden	Taylor
Harvey	Locke (Choctaw)	Payne	Thomas
Hawkins	Locke (Perry)	Pirkle	Tyson
Hodges	McClendon	Pruitt	Vacca
Holliman	McKay	Ramey	Ward
Huddleston	McLendon	Reynolds	Windle
Hunt	McNider	Richardson	Wood
Jenkins	Martin		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 76. To apply in all counties having a population of less than 200,000 inhabitants and not exceeding 500,000 inhabitants, according to the last or any subsequent Federal decennial census: To prescribe additional qualifications for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

Also:

H. 75. To create a fund which shall be known as the Solicitor's Fund in the Thirteenth Judicial Circuit of Alabama; to provide for the appropriation of monies to said fund from the solicitors fees taxed and collected in all criminal cases in all courts in the Thirteenth Judicial Circuit and to authorize the expenditure of said fund by the Solicitor of the Thirteenth Judicial Circuit for law enforcement and the discharge of the duties of his office.

Also:

H. 351. To extend, alter and rearrange the boundary lines and corporate limits of the City of Union Springs, in Bullock County, Alabama.

Also:

H. 352. To authorize and empower the Sheriff of Butler County, Alabama to appoint an additional Deputy; to authorize the Court of County Commissioners to fix the salary of said Deputy; and to provide the method of pay of said Deputy.

Also:

H. 354. Relating to Clarke County; authorizing night-time hunting of raccoons and opossums under certain conditions.

Also:

H. 362. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census; authorizing the governing body

of every such county to purchase such uniforms as the governing body deems necessary for the use of the uniformed personnel, deputies and other employees of the sheriff of the county.

Also:

H. 398. To provide an expense allowance to members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 24,500 nor more than 25,725 according to the last or any subsequent federal decennial census.

Also:

H. 418. To create a Hospital Board in all counties of this state having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent Federal decennial census, provide for the appointment of the members of said Board, their terms of office and compensation, to require said counties and all municipalities located within said counties to make payments to said Hospital Board to aid in the operation of a hospital in said counties and to provide care for charity patients, to require said Hospital Board to operate a hospital in said counties and to prescribe the powers and duties of said Hospital Board, and to provide for meetings of said Board and a fiscal year for the operations of said Hospital Board.

Also:

H. 419. To fix the salary of the tax collector of Mobile County, and to regulate the payment thereof.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Bradford:

S. 157. Proposing an amendment to the Constitution of Alabama relating to the compensation of the register of the circuit court of Clarke County.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, S. 157, the title to which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

BILLS ON THIRD READING RESUMED H. 35 POSTPONED

On motion of Mr. Summerlin, further consideration of the bill, H. 35, and pending amendment, was postponed until the eighteenth legislative day.

S. 115 INDEFINITELY POSTPONED

Mr. Dawkins moved to postpone further consideration of the bill, S. 115, until the eighteenth legislative day.

Mr. Harrison moved to indefinitely postpone the bill, S. 115, and the motion was adopted.

Yeas 52; Nays 35.

Yeas:

Messrs.	Ferrell	Killough	Payne
Adams	Franklin	Kirkham	Perry
Albea	Gilchrist	Lackey	Pirkle
Ashworth	Gist	Lee (Barbour)	Pruitt
Boyd	Grouby	Lee (Lawrence)	Ramey
Bradford	Haltom	Locke (Choctaw)	Richardson
Brewer	Hanby	Locke (Perry)	Solomon
Brown (Lee)	Hardy	McClendon	Speaks
Callahan	Harrison	McKay	Steagall
Cornett	Harvey	McNider	Stokes
Cox	Hodges	Martin	Taylor
DeSear	Holliman	Nettles	Thomas
Edwards (Jefferson)	Jenkins	Oakley	Windle
Faulk			

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Nays:

Mr. Speaker	deGraffenried	Johnson (Elmore)	Nolen
Brannan	Dement	Kaul	Selman
Branyon	Edwards (Escambia)	Law	Shumate
Brassell	Goodwyn	Love	Simon
Brooks	Hain	Mathews	Stembridge
Brown (Lamar)	Hall	Mathison	Summerlin
Burkhalter	Hare	Molette	Tyson
Davis	Hawkins	Money	Ward
Dawkins	Huddleston	Murphy	

—35

H. 28 POSTPONED

Mr. Hawkins moved to postpone consideration of the bill, H. 28, until the twenty-fourth legislative day.

On motion of Mr. Hawkins, the substitute motion of Mr. Summerlin to postpone consideration of the bill, H. 28, until the thirty-fourth legislative day, was laid upon the table.

And the motion of Mr. Hawkins to postpone consideration of the bill, H. 28, until the twenty-fourth legislative day was adopted.

H. 29 POSTPONED

On motion of Mr. Hawkins, consideration of the bill, H. 29, was postponed until the twenty-fourth legislative day.

H. 135 POSTPONED

On motion of Mr. Johnson (Tallapoosa), consideration of the bill, H. 135, was postponed until the eighteenth legislative day.

H. 178 POSTPONED

On motion of Mr. Windle, consideration of the bill, H. 178, was postponed until the twentieth legislative day.

And the bill:

H. 125. To provide that persons in the service of the government of the United States of America, and their spouses, if living within the borders of the State of Alabama, shall be deemed to be residents of

Alabama for the purpose of maintaining suits or actions in the Courts of Alabama; and to provide that the Act shall have retrospective as well as prospective effect.

Was taken up.

Mr. Goodwyn offered the following amendment to the bill, H. 125:

AMENDMENT OF H. B. 125

Insert the words, "or in equity," between the word "law" and the word "in" appearing in the phrase "at law in the courts of this State" in Section 1 of the bill.

And the amendment was adopted.

Yeas 88; Nays 2.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kendall	Oakley
Adams	Faulk	Killough	Payne
Albea	Ferrell	Kirkham	Pirkle
Ashworth	Franklin	Lackey	Pruitt
Boyd	Gilchrist	Law	Ramey
Bradford	Gist	Lee (Barbour)	Reynolds
Brannan	Goodwyn	Lee (Lawrence)	Richardson
Branyon	Grouby	Locke (Choctaw)	Selman
Brassell	Hall	Love	Shumate
Brewer	Hanby	McClendon	Simon
Brown (Lamar)	Hare	McKay	Solomon
Burkhalter	Harrison	McLendon	Speaks
Callahan	Harvey	McNider	Steagall
Cornett	Hawkins	Martin	Stembridge
Cox	Hodges	Mathews	Summerlin
Crook	Holliman	Mathison	Taylor
Dawkins	Huddleston	Meeks	Thomas
deGraffenried	Hunt	Money	Tyson
Dement	Jenkins	Murphy	Vacca
DeSear	Johnson (Elmore)	Nettles	Ward
Dickson	Johnson (Tallapoosa)	Nice	Windle
Edwards (Escambia)	Kaul	Nolen	Wood

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Nays: Messrs. Haltom and Locke (Perry).

—2

And said bill, H. 125, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 8.

Yeas:

Mr. Speaker	Brown (Lamar)	Edwards (Escambia)	Hare
Adams	Burkhalter	Edwards (Jefferson)	Harrison
Albea	Callahan	Faulk	Harvey
Ashworth	Cornett	Ferrell	Hawkins
Boyd	Cox	Franklin	Hodges
Bradford	Crook	Gist	Holliman
Brannan	Dawkins	Goodwyn	Huddleston
Branyon	deGraffenried	Gregory	Johnson (Elmore)
Brassell	Dement	Grouby	Johnson (Tallapoosa)
Brooks	Dickson	Hall	Kelly

Kendall	Martin	Payne	Speaks
Killough	Mathews	Pirkle	Steagall
Kirkham	Mathison	Pruitt	Stembridge
Lackey	Meeks	Ramey	Summerlin
Law	Molette	Reynolds	Taylor
Lee (Barbour)	Money	Richardson	Thomas
Lee (Lawrence)	Murphy	Roberts	Tyson
Locke (Choctaw)	Nettles	Selman	Vacca
Love	Nice	Shumate	Ward
McKay	Nolen	Simon	Windle
McLendon	Oakley	Solomon	Wood
McNider	Oden		

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Nays:

Messrs.	Haltom	Hunt	Locke (Perry)
Brewer	Hanby	Jenkins	Perry
Gilchrist			

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RESOLUTION

The following resolution was introduced:

By Mr. Gist:

H. J. R. 41. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, that when the two Houses adjourn today they adjourn to meet again on Friday, July 1, and that when the two Houses adjourn on Friday, July 1, they adjourn to meet again on Tuesday, July 12, and that the recess between July 1 and July 12 be taken without pay.

The motion of Mr. Gist to suspend the rules in order to bring up for immediate consideration the above and foregoing H.J.R. 41 was lost.

Yeas 63; Nays 35.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Jenkins	Money
Adams	Faulk	Johnson (Elmore)	Nettles
Albea	Ferrell	Kaul	Oakley
Ashworth	Franklin	Kendall	Oden
Boyd	Gist	Lackey	Payne
Bradford	Grouby	Locke (Choctaw)	Perry
Brannan	Hain	Locke (Perry)	Pruitt
Branyon	Hanby	McClendon	Ramey
Brown (Lee)	Hardy	McKay	Richardson
Callahan	Hare	McLendon	Solomon
Cox	Harrison	McNider	Speaks
Crook	Harvey	Martin	Summerlin
Davis	Hawkins	Mathews	Thomas
Dement	Hodges	Mathison	Vacca
DeSear	Holliman	Meeks	Windle
Dickson	Hunt	Molette	

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Nays:

Messrs.	Brooks	Cornett	Edwards (Escambia)
Brassell	Brown (Lamar)	Dawkins	Gilchrist
Brewer	Burkhalter	deGraffenried	Goodwyn

Gregory	Killough	Nice	Steagall
Hall	Law	Nolen	Stembridge
Haltom	Lee (Barbour)	Pirkle	Taylor
Huddleston	Lee (Lawrence)	Selman	Tyson
Johnson (Tallapoosa)	Love	Shumate	Ward
Kelly	Murphy	Simon	Wood

—35

And said resolution H.J.R. 41 was referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

H. 9. To amend Title 14, Section 217, Code of 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 14.

Yeas:

Messrs.	Grouby	Lee (Barbour)	Pirkle
Adams	Hain	Lee (Lawrence)	Ramey
Albea	Hall	Locke (Choctaw)	Richardson
Ashworth	Haltom	Locke (Perry)	Roberts
Boyd	Hare	Love	Selman
Bradford	Harrison	McClendon	Shumate
Brannan	Hawkins	McKay	Simon
Branyon	Hodges	McLendon	Solomon
Brassell	Holliman	McNider	Speaks
Brooks	Hunt	Martin	Steagall
Brown (Lee)	Jenkins	Mathison	Stembridge
Cox	Johnson (Elmore)	Meeks	Summerlin
Crook	Johnson (Tallapoosa)	Molette	Taylor
DeSear	Kaul	Money	Thomas
Edwards (Escambia)	Kelly	Murphy	Tyson
Edwards (Jefferson)	Kendall	Nolen	Vacca
Faulk	Killough	Oakley	Ward
Franklin	Kirkham	Payne	Windle
Gist	Lackey	Perry	Wood

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Nays:

Mr. Speaker	Callahan	Ferrell	Law
Brewer	Cornett	Gregory	Oden
Brown (Lamar)	Dawkins	Harvey	Pruitt
Burkhalter	deGraffenried		

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REPORT OF RULES COMMITTEE

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report, with substitute:

By Mr. Edwards (Escambia) (with substitute):

H.J.R. 40. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Friday, July 1, 1955, and

when they adjourn on Friday, July 1, 1955, they adjourn to meet again on Tuesday, July 12, 1955.

Said substitute being as follows:

RULES COMMITTEE SUBSTITUTE FOR H. J. R. 40

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn to-day, they adjourn to meet again on Friday, July 1, 1955, and when they adjourn on Friday, July 1, 1955, they adjourn to meet again on Friday, July 8, 1955.

And the substitute for H. J. R. 40 reported by the Standing Committee on Rules was adopted.

And H. J. R. 40, as amended by the substitute, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 174. Relating to actions and parties; providing for the joinder of all or any number of employees of the same employer as plaintiffs in an action against the employer involving a dispute over the payment of wages.

Also:

H. 119. To make an appropriation from the general fund in the state treasury for payment of the expenses incurred by the State in sponsoring the annual meeting of the Southern Governor's Conference, which is to be held at Point Clear October 17-20, 1955.

Also:

H. 126. To amend Title 41, Section 154, Code of Alabama 1940, as amended, which relates to travel expenses for persons in State service.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Robison and Roberts:

S. 103. To amend Section 47 of Title 13, Code of Alabama (1940), which relates to the appointment and compensation of confidential secretaries for the Supreme Court.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 103. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Robison and Roberts:

S. 102. To amend Section 107 of Title 13, Code of Alabama (1940), which relates to the appointment, duties, and compensation of certain employees for the Court of Appeals.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 102. Judiciary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 75. To create a fund which shall be known as the Solicitor's Fund in the Thirteenth Judicial Circuit of Alabama; to provide for the appropriation of monies to said fund from the solicitors fees taxed and collected in all criminal cases in all courts in the Thirteenth Judicial Circuit and to authorize the expenditure of said fund by the Solicitor of the Thirteenth Judicial Circuit for law enforcement and the discharge of the duties of his office.

Also:

H. 76. To apply in all counties having a population of not less than 200,000 inhabitants, and not exceeding 500,000 inhabitants, according to the last or any subsequent Federal decennial census: To prescribe additional qualifications for holding the office of judge of probate in counties where equity jurisdiction has been conferred on such officer or vested in such office.

Also:

H. 351. To extend, alter and rearrange the boundary lines and corporate limits of the City of Union Springs, in Bullock County, Alabama.

Also:

H. 352. To authorize and empower the Sheriff of Butler County, Alabama to appropriate an additional Deputy; to authorize the Court of County Commissioners to fix the salary of said Deputy; and to provide the method of pay of said Deputy.

Also:

H. 354. Relating to Clarke County; authorizing night-time hunting of raccoons and opossums under certain conditions.

Also:

H. 362. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any

subsequent federal decennial census; authorizing the governing body of every such county to purchase such uniforms as the governing body deems necessary for the use of the uniformed personnel, deputies and other employees of the sheriff of the county.

Also:

H. 398. To provide an expense allowance to members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 24,500 nor more than 25,725 according to the last or any subsequent federal decennial census.

Also:

H. 418. To create a Hospital Board in all counties of this state having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent Federal decennial census, provide for the appointment of the members of said Board, their terms of office and compensation, to require said counties and all municipalities located within said counties to make payments to said Hospital Board to aid in the operation of a hospital in said counties and to provide care for charity patients, to require said Hospital Board to operate a hospital in said counties and to prescribe the powers and duties of said Hospital Board, and to provide for meetings of said Board and a fiscal year for the operations of said Hospital Board.

Also:

H. 419. To fix the salary of the tax collector of Mobile County, and to regulate the payment thereof.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

H. 253. To amend Section 365 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Branyon	Davis	Faulk
Adams	Brassell	Dawkins	Ferrell
Albea	Brewer	deGraffenried	Franklin
Ashworth	Brown (Lamar)	Dement	Gilchrist
Basset	Callahan	DeSear	Gist
Boyd	Cornett	Dickson	Goodwyn
Bradford	Cox	Edwards (Escambia)	Hain
Brannan	Crook	Edwards (Jefferson)	Hall

Haltom	Kendall	Mathison	Reynolds
Hanby	Killough	Meeks	Selman
Hardy	Kirkham	Molette	Shumate
Hare	Lackey	Money	Simon
Harrison	Law	Murphy	Solomon
Harvey	Lee (Barbour)	Nettles	Steagall
Hawkins	Lee (Lawrence)	Nice	Stembridge
Hodges	Locke (Choctaw)	Nolen	Stokes
Holliman	Locke (Perry)	Oakley	Summerlin
Huddleston	Love	Oden	Taylor
Hunt	McClendon	Payne	Thomas
Jenkins	McKay	Perry	Tyson
Johnson (Elmore)	McLendon	Pirkle	Vacca
Johnson (Tallapoosa)	McNider	Pruitt	Ward
Kaul	Martin	Ramey	Wood
Kelly	Mathews		

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And the bill:

S. 112. To amend Section 6 (e) (1) of Act No. 48, H.B. 34, approved November 3, 1950 entitled "An Act To provide old-age and survivors insurance for certain officers and employees of the State and local governments and making appropriations therefor and to repeal Act No. 990 approved September 12, 1951."

Was read a third time at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Johnson (Elmore)	Oakley
Adams	Faulk	Johnson (Tallapoosa)	Oden
Albea	Ferrell	Kelly	Payne
Ashworth	Franklin	Kendall	Perry
Bassett	Gilchrist	Killough	Pirkle
Boyd	Gist	Lee (Barbour)	Pruitt
Bradford	Gregory	Lee (Lawrence)	Ramey
Brannan	Grouby	Locke (Choctaw)	Reynolds
Branyon	Hain	Locke (Perry)	Roberts
Brassell	Hall	Love	Selman
Brewer	Haltom	McClendon	Simon
Brown (Lamar)	Hanby	McKay	Solomon
Burkhalter	Hardy	McLendon	Steagall
Callahan	Hare	McNider	Stembridge
Cornett	Harrison	Martin	Stokes
Cox	Harvey	Mathews	Summerlin
Crook	Hawkins	Mathison	Taylor
Dawkins	Hodges	Molette	Thomas
deGraffenried	Holliman	Money	Tyson
Dement	Huddleston	Murphy	Vacca
DeSear	Hunt	Nettles	Ward
Dickson	Jenkins	Nolen	Wood
Edwards (Escambia)			

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H. 133 POSTPONED

On motion of Mr. Harrison, consideration of the bill, H. 133, was postponed until the eighteenth legislative day.

S. 30 INDEFINITELY POSTPONED

The motion of Mr. Davis to indefinitely postpone the bill, S. 30, was withdrawn.

And on motion of Mr. Ferrell, the bill, S. 30, was indefinitely postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:
By Mr. Lamberth:

S. J. R. 36. RESOLVED By the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again on Friday, July 1st, 1955.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The S. J. R. 36 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolution hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 12:10 P.M. On June 28, 1955

H. 379

H.J.R. 38

H. 230

Delivered to the Governor at 3:50 P.M. On June 28, 1955

H. 75

H. 76

H. 351

H. 352

H. 354

H. 362

H. 398

H. 418

H. 419

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Hawkins the House adjourned until Friday, July 1, 1955, at ten o'clock A.M.

SEVENTEENTH DAY

House of Representatives
Montgomery, Alabama
Friday, July 1, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Robert C. Edge, Pastor, Capitol Heights Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards (Escambia)	Johnson (Tallapoosa)	Lakley
Adams	Edwards (Jefferson)	Kaul	Oden
Albea	Faulk	Kendall	Payne
Ashworth	Ferrell	Killough	Perry
Bassett	Franklin	Kirkham	Pirkle
Boyd	Gilchrist	Lackey	Pruitt
Bradford	Gist	Law	Ramey
Brannan	Goodwyn	Lee (Barbour)	Reynolds
Branyon	Gregory	Lee (Lawrence)	Richardson
Brassell	Grouby	Locke (Choctaw)	Roberts
Brewer	Hain	Locke (Perry)	Selman
Broadfoot	Hall	Love	Shumate
Brooks	Haltom	McClendon	Simon
Brown (Lamar)	Hanby	McKay	Solomon
Brown (Lee)	Hardy	McLendon	Speaks
Callahan	Hare	McNider	Steagall
Cornett	Harrison	Martin	Stenbridge
Cox	Harvey	Mathews	Stokes
Crook	Hawkins	Meeks	Summerlin
Davis	Hodges	Molette	Taylor
Dawkins	Holliman	Money	Thomas
deGraffenried	Huddleston	Murphy	Tyson
Dement	Hunt	Nettles	Vacca
DeSear	Jenkins	Nice	Ward
Dickson	Johnson (Elmore)	Nolen	Wood

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Dement, leave of absence was granted to Mr. Kelly because of personal illness.

REPORT OF THE STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the sixteenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Oden, the reading at length of the Journal of the House for the sixteenth legislative day was dispensed with and the

report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the sixteenth legislative day was approved.

MOTION TO RECONSIDER S. 30 ADOPTED

The motion of Mr. Ashworth to reconsider the vote by which the bill, S. 30, was indefinitely postponed, was adopted.

And on motion of Mr. Ashworth, consideration of the bill, S. 30, was postponed until the nineteenth legislative day.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 119. To make an appropriation from the general fund in the state treasury for payment of the expenses incurred by the State in sponsoring the annual meeting of the Southern Governors' Conference, which is to be held at Point Clear October 17-20, 1955.

Also:

H. 126. To amend Title 41, Section 154, Code of Alabama 1940, as amended, which relates to travel expense for persons in State service.

Also:

H. 174. Relating to actions and parties; providing for the joinder of all or any number of employees of the same employer as plaintiffs in an action against the employer involving a dispute over the payment of wages.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 112. To amend Section 6 (e) (1) of Act No. 48, H. B. 34, approved November 3, 1950 entitled "An Act To provide old-age and survivors insurance for certain officers and employees of the State and local governments and making appropriations therefor and to repeal Act No. 990 approved September 12, 1951."

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at

length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S.J.R. 35. Relative to extending an invitation to the Honorable Marvin Griffin of Georgia to address a joint session of the two houses of the Legislature of Alabama.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Lamberth:

S.J.R. 37. BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING, that when the two Houses adjourn today they adjourn to meet again on Wednesday, July 6, 1955, and that when they adjourn on that day they adjourn to meet again on Friday, July 8, 1955.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Dawkins the rules were suspended and the House concurred in and adopted the S.J.R. 37 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Davis (Pickens):

S.J.R. 38. Be It Resolved by the Legislature of Alabama both houses thereof jointly concurring that the death of Mr. Sam Pate of Carrollton, the grandfather of Representative Ralph Windle of Pickens County, is deeply mourned, and this body extends its sympathy to his bereaved family for their great loss.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Richardson the rules were suspended and the

House concurred in and adopted the S.J.R. 33 set out in the above and foregoing Message from the Senate.

BILLS ON SECOND READING

Mr. Brassell, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 581. To regulate further the issuance and recording of certificates of judgments of courts of record.

Mr. Brassell, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 245 (With substitute): To establish and provide for the maintenance and administration of an Unsatisfied Judgment Fund; providing for payments to certain persons out of the funds for damages resulting from bodily injury or death arising out of the ownership, maintenance or use of motor vehicles in this state; imposing certain duties relative to the administration of this Act on the probate judges, the State Treasurer, the Director of Public Safety and the Attorney General; and prescribing certain conditions which must be fulfilled before any driving privilege or any vehicle license, revoked under the Alabama Motor Vehicle Safety-Responsibility Act, may be restored to a driver or owner of a motor vehicle when a judgment against him has been paid from this fund.

Mr. Brassell, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 553. To amend Title 13, section 179, of the Code of 1940.

Mr. Brassell, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 103 (With amendment). To amend Section 47 of Title 13, Code of Alabama (1940), which relates to the appointment and compensation of confidential secretaries for the Supreme Court.

Mr. Branyon, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 305. To propose an amendment to the Constitution relative to the method of adopting amendments to the Constitution.

The above bill was read a second time at length as required by the Constitution.

H. 306. To propose and provide for an amendment to the Constitution of Alabama of 1901 providing that obligations hereafter incurred

and securities hereafter issued by a municipality having a population of less than 6,000 inhabitants for the purpose of acquiring, providing or constructing sanitary or storm water sewers, street or sidewalk improvements, or school houses, shall not under certain circumstances be deemed to constitute an indebtedness of such municipality within the meaning of Section 225 of said constitution.

The above bill was read a second time at length as required by the Constitution.

H. 565. Proposing amendments of the Constitution of Alabama fixing the number of representatives in the Legislature and apportioning the membership among the several counties, fixing the number of senators and dividing the State into senatorial districts.

The above bill was read a second time at length as required by the Constitution.

Mr. Lackey, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 506. To Amend Section 3 of an Act Entitled "An Act to Regulate the Handling, Sale and Distribution of Barbiturates" approved August 15, 1947 (General Acts of 1947, Page 179.)

H. 507. To Amend Section 232 of Title 22 of the Code of Alabama of 1940, as Amended:

Mr. Solomon, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 462. To authorize the Commissioner of Agriculture and Industries to provide insurance protection and coverage against accidents and death for the benefit of employees of the Department of Agriculture and Industries engaged in work involving the inspection, grading, and weighing of agricultural products at shipping points, terminals, and receiving centers.

Mr. Adams, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 320 (With Amendment). To amend further Section 429 of Title 51, Code of Alabama (1940), which relates to the tax on financial institutions.

H. 494 (With Amendment). To amend Section 73 (2377) of Title 37 of the Code of 1940 relating to compensation of commissioners.

Mr. Adams, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 550. To authorize each county in this state to sell and issue from time to time interest bearing warrants or certificates of indebtedness

for the purpose of acquiring and providing county airports; providing that such warrants and certificates shall evince general obligation indebtedness of the county; authorizing each county to pledge and use for payment of the principal of and interest on such warrants and certificates so much as may be necessary for such purpose of the proceeds of any county privilege, license or excise tax now or hereafter levied in whole or in part for the construction, maintenance, and operation of county airports; specifying the effect and priority of any such pledge; and authorizing the refunding of such warrants and certificates.

H. 551. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

H. 552. To amend Section 5 of Title 37, Code of Alabama (1940), which classifies incorporated municipalities as "cities" or "towns."

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 157. Proposing an amendment to the Constitution of Alabama relating to the compensation of the register of the circuit court of Clarke County.

The above bill was read a second time at length as required by the Constitution.

H. 589. To alter, rearrange, extend and establish the boundary lines and corporate limits of the Town of Monroeville, Monroe County, Alabama.

H. 588. Relating to Tallapoosa County; fixing the compensation of the deputies to the sheriff of Tallapoosa County; and repealing conflicting laws.

Mr. Meeks, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 541. To provide for the relief of Margaret Webb, out of the general funds of Jefferson County, Alabama.

H. 540. Relating to that portion of Powell Avenue in the City of Birmingham lying between the west line of Thirty-second Street if projected across said Powell Avenue and the east line of Twenty-eighth Street if projected across said Powell Avenue.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Brannan:

H. 593 (With Notice and Proof): Relating to Baldwin County: To provide that State witness compensation fees and mileage for witnesses appearing before the Grand Jury or testifying in criminal cases in the Circuit Court or The County Court of Baldwin County shall be payable out of the Fine and Forfeiture Fund of said county; to pro-

vide for the transfer of all State witnesses' fees collected by the Clerk of the Circuit Court or the County Court of Baldwin County to the Fine and Forfeiture Fund; to provide for the registration of witnesses' script heretofore or hereafter issued and for the order of payment thereof.

Local Legislation No. 1.

Notice and Proof H. 593:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the Legislature of the State of Alabama at its present regular session for passage of a local law, the substance of which is as follows:

A BILL TO BE ENTITLED AN ACT

Relating to Baldwin County: To provide that State witness compensation fees and mileage for witnesses appearing before the Grand Jury or testifying in criminal cases in the Circuit Court or the County Court of Baldwin County shall be payable out of the Fine and Forfeiture Fund of said county; to provide for the transfer of all State witnesses' fees collected by the Clerk of the Circuit Court or the County Court of Baldwin County to the Fine and Forfeiture Fund; to provide for the registration of witnesses' script heretofore or hereafter issued and for the order of payment thereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. That when any person is subpoenaed as a witness before the Grand Jury of Baldwin County in a criminal case, and procures a certificate of his attendance before said Grand Jury as a witness signed by the Foreman of the Grand Jury, said certificate shall be payable upon due presentation by said person, by the depository or treasurer of said county out of the Fine and Forfeiture Fund of said County.

SECTION 2. That when any person appears as a State Witness in a criminal case either in the Circuit Court or the County Court of Baldwin County, Alabama, and procures a certificate of attendance signed by the Clerk of said Court, said certificate shall be payable upon due presentation by the depository or treasurer of said county out of the Fine and Forfeiture Fund of said county.

SECTION 3. The compensation, fees and mileage allowed by law to witnesses summoned before the Grand Jury and to witnesses summoned on behalf of the State in the Circuit Court and County Court of Baldwin County shall be taxed against the defendant as a part of the cost as provided by law and when collected shall be covered into the Fine and Forfeiture Fund of the County. In the event the Fine and Forfeiture Fund should become insolvent or there be a deficit in such fund, then the County Treasurer or County Depository shall keep a Register of all witness script presented to him for witness compensation, fees and mileage payment of which is provided hereunder and each witness certificate shall be registered therein showing the date filed, certificate number, name of witness and the amount of such certificate; provided however, that when witness fees are collected the same shall be paid over to the witness on behalf of whom the same was taxed and collected, if his claim therefor shall not have been previously paid.

SECTION 4. That it shall be the duty of the clerk of the Circuit Court of Baldwin County and the clerk of the County Court of Baldwin County, upon the effective date of this act, to immediately transfer any and all moneys collected by said Clerk for the payment of State witness fees, either before the Grand Jury, Circuit Court or County Court, to the Fine and Forfeiture Fund of said County. Such claims, scripts or certificates issued by the Clerk of Circuit Court or County Court shall be endorsed for payment on the back of the same by the Clerk of the Circuit Court or the Clerk of the County Court; said endorsement for payment shall be signed by the said Clerk and dated and shall certify that the same is a proper claim and payable.

SECTION 5. That all valid claims, scripts and certificates heretofore or hereafter issued to witnesses summoned on behalf of the State before the Grand Jury, Circuit Court or County Court of Baldwin County, Alabama, be and the same are made payable by the County depository or County treasurer of Baldwin County out of the Fine and Forfeiture Fund of said county upon due presentation thereof.

SECTION 6. This act shall not be construed so as to, in any way, reduce the commission or fees of the clerk of the Circuit Court of Baldwin County, the Clerk of the County Court, or the sheriff of Baldwin County, Alabama, or the payment thereof, and such fees shall be payable in the same amount as now provided by law.

SECTION 7. That all laws, general, local and special in conflict with the provisions hereof be and the same are hereby expressly repealed. Provided however, this act shall not operate to repeal any local law regulating the Fine and Forfeiture Fund of Baldwin County and providing for the payment of salaries of deputy sheriffs therefrom.

SECTION 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

E. R. Morrisette, Jr., being duly sworn, deposes and says that he is the Editor of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of a Bill was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication May 26, 1955 Vol. 66 No. 19

Date of 2nd publication June 2, 1955 Vol. 66 No. 20.

Date of 3rd publication June 9, 1955 Vol. 66 No. 21.

Date of 4th publication June 16, 1955 Vol. 66 No. 22.

Subscribed and sworn before the undersigned this 16 day of June, 1955.

DOROTHY MARTIN,
Notary Public, Baldwin County.
E. R. MORRISSETTE JR.,
Editor.

By Mr. Hawkins:

H. 594. To amend further section 17 of An Act Entitled "An Act to provide for absentee voting in primary, general, special and municipal

elections: Prescribing penalties for violations of the Act and repealing conflicting laws", approved August 19, 1949, as amended by Act 733, H. 9, approved September 17, 1953. (Acts, 1953, regular session, p. 993).

Judiciary.

By Messrs. Hawkins, Simon, Roberts, Reynolds, Nolen, Murphy, Hall, Dawkins, Tyson, Nice, Branyon, Goodwyn, deGraffenried, Meeks, Callahan, Vacca, Payne, Hardy, McKay, Stembridge and Steagall

H. 595. To protect the interest of the public with respect to insurance agents, solicitors and brokers: To regulate the conduct of the business of insurance agents, solicitors and brokers: To provide for the powers and duties of the superintendent of insurance with respect thereto: To provide for the examining and licensing of insurance agents, solicitors and brokers: To provide for the administration of this Act: To provide for the denial, revocation or suspension of licenses under this Act: To provide for penalties for the violation of any provision of this Act: To provide for judicial review of the Acts of the superintendent of insurance with respect to the administration of the provisions of this Act: To repeal all laws or parts of laws in conflict therewith.

Rules.

By Messrs. Hanby and Hawkins:

H. 596 (With Notice and Proof). To authorize and provide for the establishment, maintenance, operation and financing of a public law library in Etowah County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 596:

NOTICE

STATE OF ALABAMA, COUNTY OF ETOWAH.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize and provide for the establishment, maintenance, operation and financing of a public law library in Etowah County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. The governing body of Etowah County, Alabama, is hereby fully authorized to establish and maintain a public law library in said county, and to accomplish said purpose, may from time to time expend such public funds of said county as are not required by law to be expended for any other purpose or purposes. It may provide suitable housing quarters, furniture, fixtures and equipment therefor; keep the same in a good state of maintenance and repair, and from time to time enlarge, expand and improve such library, facilities and equipment; and from time to time provide such books, reports and periodicals for said library as are not provided for out of the proceeds of the special fund created by this Act or otherwise, and pay salaries of a librarian and such other personnel as may be necessary and

proper to operate the same, to the extent that such salaries are not paid out of the proceeds of such special fund which expenditures shall be made on warrants drawn in the usual manner, upon the county, payable out of the appropriate fund or funds.

SECTION 2. The Clerk of the Circuit Court of Etowah County shall pay into the county treasury, for the use and benefit of the Etowah County Law Library Fund all solicitors fees collected in the trial of cases in the circuit court of said county.

SECTION 3. The "Etowah County Law Library Fund" shall be expended by the Presiding Judge of the Circuit Court of Etowah County for maintaining said library. Said Judge shall draw warrants on the county for expenditures by him, indicating on the warrants the fund against which the warrants are drawn. Said fund shall be used primarily to purchase such books and periodicals, and to pay the salaries of such personnel as may in the opinion of the said judge be advisable, but to the extent not so used such funds may be otherwise expended for the maintenance of the library. The management of the library is vested in said judge and all books or other property purchased with the funds produced by this Act shall be the property of Etowah County, Alabama; provided, however, that the judge may from time to time sell or exchange any such books, reports, periodicals, and personal property, and apply the proceeds of the sale thereof or the value thereof upon the purchase of other books, reports, periodicals and personal property for use in said library; and said judge may accept any gift or loan of any books, reports, periodicals, and property for public use in said library upon such terms and conditions as may be stipulated by the donor or lender thereof and as may be agreeable to the said judge. Said judge may appoint such personnel as may be necessary or proper to operate said library, and to the extent that circumstances permit, may designate the circuit court bailiffs, the circuit clerk, or one or more deputy circuit clerks, to operate the same or to assist therein.

SECTION 4. On or before the 10th day of each month, the clerk of the circuit court within the county shall pay to the county governing body the amounts collected for the law library fund.

SECTION 5. If any sentence, clause, provision or section of this Act be declared invalid, the invalidity thereof shall not affect the validity of any other portion or provision of this Act, it being the intention to enact into law so much hereof as may validly become law, irrespective of the invalidity of portions thereof.

SECTION 6. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise, becoming a law.

E. L. ROBERTS, Senator

E. K. Hamby, Jr., Place 1.

GEORGE C. HAWKINS, Place No. 2.

Mar. 26; Apr. 2, 9, 16.

STATE OF ALABAMA,
ETOWAH COUNTY.

Before me, Jim Lancaster, a Notary Public, in and for said County, in said State, personally appeared Myra Sitz, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Adv. Bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said affidavit notice, which notice was printed in The Gadsden Times in its regularly circulated editions on March 26, April 2, April 9, and April 16, 1955, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appeared in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 6th day of June, 1955

MYRA SITZ

Subscribed and sworn to before me on this the 6th day of June, 1955.

JAMES D. LANCASTER,

Notary Public, Etowah County, Alabama.

Commission Expires 4/23/57

By Mr. Martin:

H. 597. To provide for the licensing of merchants who give, sell, dispose of, distribute or deliver trading stamps, or any device or substitute therefor, to purchasers of goods, agreeing to redeem such stamps or devices; to provide for the collection of Sales and Use Taxes thereon; to prescribe the records to be kept in connection therewith; to provide for the collection of such licenses; to establish penalties for violations of this Act.

Business and Labor.

By Messrs. Haltom and Steagall:

H. 598. To simplify and provide for the pleading, practice and procedure and proof in an action against a party, or against a party and his agent, servant or employee involving the act or conduct of any agent, servant or employee; repealing Act No. 670, H. 217, approved October 9, 1947 (General Acts of 1947, p. 513).

Judiciary.

By Mr. Haltom:

H. 599. Proposing an amendment to the Constitution relative to Lauderdale County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Perry, Meeks, Edwards (Jefferson), Lackey, Kaul, Vacca and Nice:

H. 600. To Amend Section 4 and Section 7 of Act No. 929 of the regular session of the Legislature of Alabama of 1951 approved September 12, 1951 (Acts 1951, page 1579) entitled "AN ACT to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and

relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the board of health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Local Legislation No. 2.

By Messrs. Murphy, Hare, Lackey, Perry, Meeks, Vacca and Nice:

H. 601. To make it a felony for any person to buy, sell, barter, or trade a minor child, and prescribing the penalty for violation of the Act.

Health.

By Messrs. Murphy, Lackey, Perry, Meeks, Vacca and Nice:

H. 602. To amend Sections 89, 90, 91, 92, and 98 of Title 34 of the 1940 Code of Alabama, which relate to desertion and non support.

Judiciary.

By Messrs. Nice, Meeks, Perry and Vacca:

H. 603. To prescribe and define the obligations of the father of a child born out of wedlock, to establish procedure for the enforcement of such obligations, to prescribe penalties for violations of this Act, and to repeal all conflicting laws.

Judiciary.

By Messrs. Dement, Fite, Pirkle, Kelly, Reynolds, Shumate, Money, Gregory, Edwards (Escambia) and Cox:

H. 604. Relating to taxation; levying a privilege or license tax upon every person, firm, or corporation publishing advertisements, or selling advertising space or advertising time, in the State of Alabama; providing for the collection of the tax; dedicating the proceeds thereof to the support and maintenance of the public schools of this State; and prescribing penalties for violations of the Act.

Ways and Means.

By Messrs. Roberts, Tyson, Hain, Cornett, Hare, Davis, Pirkle, Hardy, Molette, Kendall and Kaul:

H. 605. To amend Sections 1, 5, 11, 13, 14, 15, of Act No. 787, Acts of the Legislature of 1951, approved September 11, 1951, which relate to regulation of the business of lending money.

Public Welfare.

By Messrs. Simon, Murphy and Tyson:

H. 606 (With Notice and Proof). To amend further Section 8 of an act "to create and establish in Mobile County, Alabama, a county wide Civil Service System" approved September 15, 1939 (Local Acts, 1939, page 298).

Local Legislation No. 1.

Notice and Proof H. 606:

LEGAL NOTICE

STATE OF ALABAMA, COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 8 of an act "to create and establish in Mobile County, Alabama, a county wide Civil Service System" approved September 15, 1939 (Local Acts, 1939, page 298).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 8 of an act to create and establish in Mobile County, Alabama, a county wide Civil Service System (Local Acts 1939, page 298, approved September 15, 1939), as amended, is amended further to read as follows:

"Section VIII. PERSONNEL DIRECTOR: The Board shall elect and fix the salary of the Director who shall hold office at the will of the Board. The Director shall be a bona fide resident of such county and a qualified elector thereof. His salary shall be fixed by the Personnel Board, subject to revision by the Supervisory Committee, provided, said salary shall not exceed \$7200 per year. The Director's salary shall be payable monthly and as provided in Section 30 hereof. The Director, as executive head of the Department, shall direct and supervise all its administrative and technical activities. It shall be his duty to: (1) Attend all meetings of the Board, and provide for recording its official actions, but he shall not have a vote. (2) Appoint from the Employment Register such employees of the Department, and such experts and special assistants as may be necessary to carry out effectively the provisions of this Act; (3) Prepare and recommend Rules and regulations for the administration of this Act. (4) Recommend, and on its adoption, establish, administer and execute a Classification Plan for the Classified Service. (5) Submit to the Board a Pay Plan for all positions in the Classified Service. (6) Conduct Tests, Formulate Employment Registers, and certify persons qualified for appointment; Devise and administer employee Service Ratings. (7) Examine all pay rolls or other compensation for personal services within the Classified Service with authority to disapprove, from time to time, any item or items thereof, and no such items so disapproved in writing by him shall be paid or authorized for payment. (8) Establish and maintain a Roster of all of the officers and employees in the Classified Service. (9) Make such reasonable investigations pertaining to personnel, salary scales, and employment conditions in the Classified Service as may be requested by the Board, the Citizens Supervisory Committee, or by the governing bodies of the County or of any City therein. (10) Make investigations concerning the administration and effect of this act and the rules made thereunder and report his findings and recommendations to the Board. (11) Make an annual report to the Board. (12) Perform any other act or acts required of him under this Act or required of him by the Board which may be necessary or proper to carry into effect its purposes and spirit. The Director may join or subscribe to any association or service or publication having as its purpose the interchange or dissemination of information relating to the improvement of personnel administration."

Section 2. All laws and parts of laws in conflict with the provisions of this act shall be and the same are hereby repealed.

Section 3. This act shall take effect immediately upon its passage by the Legislature and approval by the Governor, or upon its otherwise becoming law.

OTTO E. SIMON
TOM MURPHY

Register, 5-26, 6-2, 6-9, 6-16

W. M. Curran being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issue of The Mobile Register May 26, June 2, 9, 16, 1955.

W. M. CURRAN

Sworn to and subscribed before me This 28th day of June, 1955.

ALVIN A. JOHNSON,
Notary Public.

By Mr. deGraffenried:

H. 607. To amend Section 184 of Title 13 of the 1940 Code.

Judiciary.

By Messrs. Harrison, Grouby, Jenkins, Brannan, Kendall, Franklin and deGraffenried:

H. 608. To provide for an alternative method of annexation and extending limits and boundaries in general.

Local Government.

By Messrs. Oakley and Nettles:

H. 609 (With Notice and Proof). Relating to Wilcox County; regulating further the attendance of children at school; prescribing the duties of the county board of education in connection with the administration of the Act; and providing that the Act shall become effective if and when compulsory segregation of the races in the public schools of Wilcox County is invalidated by a judgment, order, or decree of a court of competent jurisdiction.

Local Legislation No. 1

Notice and Proof H. 609:

NOTICE

STATE OF ALABAMA, COUNTY OF WILCOX.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Wilcox County; regulating further the attendance of children at school; prescribing the duties of the county board of education in connection with the administration of the Act; and providing that the Act shall become effective if and when compulsory segregation of the races in the public schools of Wilcox County is invalidated by a judgment, order, or decree of a court of competent jurisdiction.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of education of Wilcox County shall provide free schools for all children in the county over six years of age, and

where necessity exists therefor, shall provide separate schools for white and colored children whose parents, legal custodians or guardians voluntarily elect that such children attend school with members of their own race.

Section 2. Every child in Wilcox County between the ages of seven and sixteen years shall be required to attend a public school, private school, denominational school, parochial school, or be instructed by a competent private tutor, for the entire length of the school term in every scholastic year. Admission to public school shall be on an individual basis, on application of the parent, legal custodian or guardian of the child, to the board of education of Wilcox County or its authorized representatives, under such rules and regulations as the board may prescribe. No white or colored child shall be compelled to attend a school in Wilcox County where the races are commingled.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective if and when compulsory segregation of the races in the public schools of Wilcox County is invalidated by a judgment, order, or decree of a court of competent jurisdiction.

GREGORY OAKLEY

Representative, Wilcox County June 2, 9, 16 23.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF WILCOX.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Stanley D. Godbold, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wilcox Progressive Era, a newspaper of general circulation published in Camden, Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 2nd, June 9th, June 16th, and June 23rd, all in the year 1955.

STANLEY D. GODBOLD

Sworn to and subscribed before me 27, 1955.

FRANCES M. GODBOLD,
Notary Public.

By Messrs. Hawkins, Gilchrist, Lee (Barbour), Roberts, Nolen, Goodwyn, Kendall, Harrison, Tyson, Haltom and Perry:

H. 610. To amend Section 3 of Act No. 443, H. 414, approved August 28, 1953 (Acts of Alabama, 1953, p. 549), which provides for the appointment of law clerks by the chief justice and the associate justices of the supreme court, prescribes their duties and fixes their compensation.

Judiciary.

By Messrs. Hawkins, Gilchrist, Lee (Barbour), Roberts, Nolen, Goodwyn, Kendall, Harrison, Tyson, Haltom and Perry:

H. 611. To amend Section 3 of Act No. 724, H. 416, approved September 17, 1953 (Acts of Alabama, 1953, p. 979), which provides for the

appointment of law clerks by the presiding judge and the associate judges of the Court of Appeals, prescribes their duties and fixes their compensation.

Judiciary.

By Mr. Brown (Lee):

H. 612. To require the Board of Pardons and Paroles to restore civil and political rights to any person applying therefor who submits proof of good conduct for a period of not less than two years after termination of the sentence against him.

Judiciary.

By Messrs. Adams, McClendon, Hunt, Brown (Lee), Ward and Goodwyn:

H. 613. Relating to the Fifth Judicial Circuit; Authorizing the circuit solicitor to appoint a stenographic secretary, and providing for the payment of such secretary's compensation by the counties composing the circuit.

Ways and Means.

By Messrs. Adams, McClendon, Hunt, Brown (Lee), Ward and Goodwyn:

H. 614. Relating to the office of Solicitor of the Fifth Judicial Circuit: creating a solicitor's fund for the use of the Circuit Solicitor.

Ways and Means.

By Messrs. Harrison and Jenkins:

H. 615. Relating to insurance; regulating further the taking of applications for, and the issuance of receipts and individual policies of health, accident, accident and health, hospitalization and medical insurance.

Judiciary.

By Mr. Richardson:

H. 616. To make it a felony for any parent or person in loco parentis to inflict any cruel or unusual punishment on his or her child.

Judiciary.

By Messrs. Hawkins, Dawkins, Hall, Harrison, Gist, Speaks, Oden, Gregory, Hanby, Goodwyn, Nolen and Fite:

H. 617. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance for school building purposes of not exceeding \$150,000,000 principal amount of general obligation bonds of the State of Alabama additionally secured by a pledge of certain state taxes.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Murphy and Simon:

H. 618. To secure to the stockholders of all Alabama corporations now existing and hereinafter incorporated the right to vote their stock cumulatively at the election of directors of such corporations, to repeal all laws in conflict herewith, and to provide for the effective date hereof.

Judiciary.

By Messrs. Bassett, Hawkins, Boyd, Killough, Taylor, Wood, Holliman, Kirkham, Nettles, Oakley and Thomas:

H. 619. To prescribe a minimum salary for guards employed by the Board of Corrections of Alabama or any other State department or agency.

Ways and Means.

H. 512 RE-REFERRED

Mr. Hawkins moved that the bill, H. 512, be re-referred.

And the Speaker re-referred the bill, H. 512.

To provide for the submission of civil suits filed at law for judgment on the pleadings; to define pleadings as used herein; to allow the court to fix a time-limit for filing of subsequent pleadings and to enter a judgment nil dicit, dismiss the suit, or impose terms for failure to do so; and also to deny further pleadings after the cause is at issue and placed on the trial docket except by permission of the court on such terms as the court may impose, but not to deny the filing of amended pleadings during the progress of the trial as provided by law.

to the Standing Committee on Judiciary.

BILLS ON THIRD READING

H. 493. To amend Section 1, of Act No. 311, approved July 31, 1951, as amended by Act No. 14, approved February 15, 1955, which fixes the compensation of the Sheriff in counties of more than 96,000 population and less than 140,000 population, according to the last Federal census or any subsequent Federal census and provides for help and assistance and other expenses necessary to the conduct of the office of Sheriff, by providing for the appointment of the Chief Deputy independently from the Merit Board roster in those counties under this Act having a Merit System.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dement	Hawkins	Murphy
Adams	DeSear	Hodges	Nettles
Albea	Dickson	Holliman	Nice
Ashworth	Edwards (Escambia)	Huddleston	Nolen
Bassett	Edwards (Jefferson)	Hunt	Oakley
Boyd	Faulk	Jenkins	Oden
Bradford	Ferrell	Johnson (Tallapoosa)	Payne
Brannan	Franklin	Kendall	Pirkle
Branyon	Gilchrist	Killough	Pruitt
Brassell	Gist	Kirkham	Ramey
Brewer	Goodwyn	Lackey	Reynolds
Broadfoot	Gregory	Lee (Barbour)	Selman
Brooks	Grouby	Lee (Lawrence)	Simon
Brown (Lamar)	Hain	Locke (Choctaw)	Solomon
Brown (Lee)	Hall	Locke (Perry)	Steagall
Callahan	Haltom	Love	Stembridge
Cornett	Hanby	McClendon	Stokes
Cox	Hardy	McKay	Summerlin
Crook	Hare	McLendon	Taylor
Davis	Harrison	Martin	Thomas
deGraffenried	Harvey	Molette	Vacca

And the bill:

S. 155. For the relief of Perry Cumbie of Montgomery, Alabama.

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	DeSear	Hodges	Money
Adams	Dickson	Holliman	Nettles
Albea	Edwards (Escambia)	Huddleston	Nice
Ashworth	Edwards (Jefferson)	Hunt	Nolen
Bassett	Faulk	Jenkins	Oakley
Boyd	Ferrell	Kendall	Oden
Bradford	Franklin	Killough	Payne
Brannan	Gilchrist	Kirkham	Pirkle
Branyon	Gist	Lackey	Ramey
Brassell	Goodwyn	Lee (Barbour)	Reynolds
Brewer	Gregory	Lee (Lawrence)	Selman
Broadfoot	Grouby	Locke (Choctaw)	Simon
Brooks	Hain	Locke (Perry)	Solomon
Brown (Lamar)	Hall	Love	Steagall
Brown (Lee)	Haltom	McClendon	Stembridge
Callahan	Hanby	McKay	Stokes
Cornett	Hardy	McLendon	Summerlin
Crook	Hare	McNider	Taylor
Davis	Harrison	Martin	Thomas
Dawkins	Harvey	Meeks	Vacca
Dement	Hawkins	Molette	

—83

And the bill:

S. 174. To amend Section 1, of Act No. 311, approved July 31, 1951, as amended by Act No. 14, approved February 15, 1955, which fixes the compensation of the Sheriff in counties of more than 96,000 population and less than 140,000 population, according to the last Federal census or any subsequent Federal census and provides for help and assistance and other expenses necessary to the conduct of the office of Sheriff, by providing for the appointment of the Chief Deputy independently from the Merit Board roster in those counties under this Act having a Merit System.

Was read a third time at length and passed.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Brown (Lee)	Ferrell	Hodges
Adams	Callahan	Franklin	Holliman
Albea	Cornett	Gilchrist	Hunt
Ashworth	Cox	Gist	Jenkins
Bassett	Crook	Goodwyn	Johnson (Tallapoosa)
Boyd	Davis	Gregory	Kendall
Bradford	Dawkins	Grouby	Kirkham
Brannan	deGraffenried	Hain	Lackey
Branyon	Dement	Haltom	Lee (Barbour)
Brassell	DeSear	Hanby	Lee (Lawrence)
Brewer	Dickson	Hardy	Locke (Choctaw)
Broadfoot	Edwards (Escambia)	Hare	Locke (Perry)
Brooks	Edwards (Jefferson)	Harrison	Love
Brown (Lamar)	Faulk	Hawkins	McClendon

McKay	Nettles	Ramey	Stembridge
McLendon	Nice	Reynolds	Summerlin
McNider	Nolen	Selman	Taylor
Martin	Oakley	Simon	Thomas
Molette	Oden	Solomon	Vacca
Money	Payne	Steagall	Ward
Murphy	Pirkle		

—82

And the bill:

H. 543. To fix and provide for the payment out of the Limestone County general fund the compensation of the coroner for Limestone County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Dement	Holliman	Nettles
Adams	DeSear	Huddleston	Nice
Albea	Dickson	Hunt	Nolen
Ashworth	Edwards (Escambia)	Jenkins	Oakley
Bassett	Edwards (Jefferson)	Johnson (Tallapoosa)	Oden
Boyd	Faulk	Kendall	Payne
Bradford	Ferrell	Kirkham	Pirkle
Brannan	Franklin	Lackey	Pruitt
Branyon	Gilchrist	Lee (Barbour)	Ramey
Brassell	Gist	Lee (Lawrence)	Reynolds
Brewer	Goodwyn	Locke (Choctaw)	Selman
Broadfoot	Gregory	Locke (Perry)	Shumate
Brooks	Grouby	Love	Simon
Brown (Lamar)	Hain	McClendon	Solomon
Brown (Lee)	Hall	McKay	Steagall
Callahan	Haltom	McLendon	Stembridge
Cornett	Hanby	McNider	Summerlin
Cox	Hardy	Martin	Taylor
Crook	Hare	Meeks	Thomas
Davis	Harrison	Molette	Vacca
Dawkins	Hawkins	Money	Ward
deGraffenried	Hodges	Murphy	

—87

And the bill:

H. 544. Relating to Limestone County; to authorize the board of revenue or other county governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, not to exceed three cents per acre, against forest lands in the county; to prescribe the procedure for levying and collecting such assessment; and to provide for appeals from such assessments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Bassett	Branyon	Brown (Lamar)
Adams	Boyd	Brassell	Brown (Lee)
Albea	Bradford	Brewer	Callahan
Ashworth	Brannan	Brooks	Cornett

Cox	Hain	Lee (Barbour)	Oakley
Crook	Hall	Lee (Lawrence)	Payne
Davis	Haltom	Locke (Choctaw)	Pirkle
Dawkins	Hanby	Locke (Perry)	Pruitt
deGraffenried	Hardy	Love	Ramey
Dement	Hare	McClendon	Reynolds
DeSear	Harrison	McKay	Selman
Dickson	Hawkins	McLendon	Shumate
Edwards (Escambia)	Hodges	McNider	Simon
Edwards (Jefferson)	Holliman	Martin	Solomon
Faulk	Huddleston	Meeks	Steagall
Ferrell	Hunt	Molette	Stembridge
Franklin	Jenkins	Money	Summerlin
Gilchrist	Johnson (Tallapoosa)	Murphy	Taylor
Gist	Kendall	Nettles	Thomas
Goodwyn	Killough	Nice	Vacca
Gregory	Kirkham	Nolen	Ward
Grouby	Lackey		

—86

And the bill:

H. 545. To propose an amendment to the Constitution of Alabama relating to Limestone County, authorizing the county governing body to levy and collect special taxes the proceeds of which shall be used to provide fire protection in the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Dement	Huddleston	Nettles
Adams	DeSear	Hunt	Nice
Albea	Dickson	Jenkins	Nolen
Ashworth	Edwards (Escambia)	Johnson (Tallapoosa)	Oakley
Bassett	Edwards (Jefferson)	Kendall	Oden
Boyd	Faulk	Killough	Payne
Bradford	Ferrell	Kirkham	Pirkle
Brannan	Franklin	Lackey	Ramey
Branyon	Gilchrist	Lee (Barbour)	Reynolds
Brassell	Gist	Lee (Lawrence)	Selman
Brewer	Goodwyn	Locke (Choctaw)	Shumate
Broadfoot	Grouby	Locke (Perry)	Simon
Brooks	Hain	Love	Solomon
Brown (Lamar)	Hall	McClendon	Steagall
Brown (Lee)	Haltom	McKay	Stembridge
Callahan	Hanby	McLendon	Stokes
Cornett	Hardy	McNider	Summerlin
Cox	Hare	Martin	Taylor
Crook	Harrison	Meeks	Thomas
Davis	Hawkins	Molette	Vacca
Dawkins	Hodges	Money	Ward
deGraffenried	Holliman	Murphy	

—87

And the bill:

H. 546. Relating to Limestone County: To authorize, direct and require the governing body of Limestone County to call an election in

the county for the purpose of determining whether or not the county governing body may levy additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51, Code of Alabama (1940), and amendments thereto, in an amount equal to thirty-three and one-third per centum of the state levy; providing for the enforcement and collection of the tax, if imposed, and the distribution of the proceeds thereof; and prescribing the purpose for which such proceeds may be used.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Dement	Huddleston	Nettles
Adams	DeSear	Hunt	Nice
Albea	Dickson	Jenkins	Nolen
Ashworth	Edwards (Escambia)	Johnson (Tallapoosa)	Oakley
Bassett	Edwards (Jefferson)	Kendall	Oden
Boyd	Faulk	Killough	Payne
Bradford	Ferrell	Kirkham	Pirkle
Brannan	Franklin	Lackey	Ramey
Branyon	Gilchrist	Lee (Barbour)	Reynolds
Brassell	Gist	Lee (Lawrence)	Selman
Brewer	Goodwyn	Locke (Choctaw)	Shumate
Broadfoot	Grouby	Locke (Perry)	Simon
Brooks	Hain	Love	Solomon
Brown (Lamar)	Hall	McClendon	Steagall
Brown (Lee)	Haltom	McKay	Stembridge
Callahan	Hanby	McLendon	Stokes
Cornett	Hardy	McNider	Summerlin
Cox	Hare	Martin	Taylor
Crook	Harrison	Meeks	Thomas
Davis	Hawkins	Molette	Vacca
Dawkins	Hodges	Money	Ward
deGraffenried	Holliman	Murphy	

—87

And the bill:

H. 547. Relating to Limestone County; providing for the election and terms of office of the members and chairman of the county board of education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Branyon	Cornett	Dickson
Adams	Brassell	Cox	Edwards (Escambia)
Albea	Brewer	Crook	Edwards (Jefferson)
Ashworth	Broadfoot	Davis	Faulk
Bassett	Brooks	Dawkins	Ferrell
Boyd	Brown (Lamar)	deGraffenried	Franklin
Bradford	Brown (Lee)	Dement	Gilchrist
Brannan	Callahan	DeSear	Gist

Goodwyn	Jenkins	McNider	Reynolds
Grouby	Johnson (Tallapoosa)	Martin	Selman
Hain	Kendall	Meeks	Shumate
Hall	Killough	Molette	Simon
Halton	Kirkham	Money	Solomon
Hanby	Lackey	Murphy	Steagall
Hardy	Lee (Barbour)	Nettles	Stembridge
Hare	Lee (Lawrence)	Nice	Stokes
Harrison	Locke (Choctaw)	Nolen	Summerlin
Hawkins	Locke (Perry)	Oakley	Taylor
Hodges	Love	Oden	Thomas
Holliman	McClendon	Payne	Vacca
Huddleston	McKay	Pirkle	Ward
Hunt	McLendon	Ramey	

—87

And the bill:

H. 548. Relating to Limestone County; to authorize the board of revenue to provide fire protection throughout the county, to maintain fire stations and employ firemen, and to assess the whole or a part of the cost thereof, within a prescribed limit, against property owners in the county; prescribing the procedure for levying and collecting such assessments; and providing for appeals from such assessments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Dement	Huddleston	Nettles
Adams	DeSear	Hunt	Nice
Albea	Dickson	Jenkins	Nolen
Ashworth	Edwards (Escambia)	Johnson (Tallapoosa)	Oakley
Bassett	Edwards (Jefferson)	Kendall	Oden
Boyd	Faulk	Killough	Payne
Bradford	Ferrell	Kirkham	Pirkle
Brannan	Franklin	Lackey	Ramey
Branyon	Gilchrist	Lee (Barbour)	Reynolds
Brassell	Gist	Lee (Lawrence)	Selman
Brewer	Goodwyn	Locke (Choctaw)	Shumate
Broadfoot	Grouby	Locke (Perry)	Simon
Brooks	Hain	Love	Solomon
Brown (Lamar)	Hall	McClendon	Steagall
Brown (Lee)	Halton	McKay	Stembridge
Callahan	Hanby	McLendon	Stokes
Cornett	Hardy	McNider	Summerlin
Cox	Hare	Martin	Taylor
Crook	Harrison	Meeks	Thomas
Davis	Hawkins	Molette	Vacca
Dawkins	Hodges	Money	Ward
deGraffenried	Holliman	Murphy	

—87

And the bill:

H. 510. Relating to Cleburne County: To regulate the compensation of the county superintendent of education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Dement	Huddleston	Nettles
Adams	DeSear	Hunt	Nice
Albea	Dickson	Jenkins	Nolen
Ashworth	Edwards (Escambia)	Johnson (Taliapoosa)	Oakley
Bassett	Edwards (Jefferson)	Kendall	Oden
Boyd	Faulk	Killough	Payne
Bradford	Ferrell	Kirkham	Pirkle
Brannan	Franklin	Lackey	Ramey
Branyon	Gilchrist	Lee (Barbour)	Reynolds
Brassell	Gist	Lee (Lawrence)	Selman
Brewer	Goodwyn	Locke (Choctaw)	Shumate
Broadfoot	Grouby	Locke (Perry)	Simon
Brooks	Hain	Love	Solomon
Brown (Lamar)	Hall	McClendon	Steagall
Brown (Lee)	Halton	McKay	Stembridge
Callahan	Hanby	McLendon	Stokes
Cornett	Hardy	McNider	Summerlin
Cox	Hare	Martin	Taylor
Crook	Harrison	Meeks	Thomas
Davis	Hawkins	Molette	Vacca
Dawkins	Hodges	Money	Ward
deGraffenried	Holliman	Murphy	

—87

And the bill:

H. 511. Relating to Colbert County: To abolish the office of county commissioner of public schools, establish and restore the office of county superintendent of education, provide for the election of a county superintendent of education, fix his term of office, prescribe his qualifications, provide for his compensation and allowances, and define and prescribe his functions and duties; repealing Act No. 227 approved July 24, 1953, as passed at the 1953 Regular Session of the Legislature, Act No. 72, H. 2, approved April 13, 1955, and all other laws or parts of laws in conflict with this Act; providing for a referendum election by the qualified electors of Colbert County to pass upon the question of whether they favor the adoption of the provisions of this Act, and providing for the election of a county superintendent of education to fill the vacancy that will exist in the office of county superintendent of education in the event this Act is approved at such referendum, and prescribing his qualifications.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Brewer	Dawkins	Gilchrist
Adams	Broadfoot	deGraffenried	Gist
Albea	Brooks	Dement	Goodwyn
Ashworth	Brown (Lamar)	DeSear	Grouby
Bassett	Brown (Lee)	Dickson	Hain
Boyd	Callahan	Edwards (Escambia)	Hall
Bradford	Cornett	Edwards (Jefferson)	Halton
Brannan	Cox	Faulk	Hanby
Branyon	Crook	Ferrell	Hardy
Brassell	Davis	Franklin	Hare

Harrison	Lee (Barbour)	Money	Shumate
Hawkins	Lee (Lawrence)	Murphy	Simon
Hodges	Locke (Choctaw)	Nettles	Solomon
Holliman	Locke (Perry)	Nice	Steagall
Huddleston	Love	Nolen	Stembridge
Hunt	McClendon	Oakley	Stokes
Jenkins	McKay	Oden	Summerlin
Johnson (Tallapoosa)	McLendon	Payne	Taylor
Kendall	McNider	Pirkle	Thomas
Killough	Martin	Ramey	Vacca
Kirkham	Meeks	Reynolds	Ward
Lackey	Molette	Selman	

—87

And the bill:

H. 549. Relating to Limestone County; providing for the election of the chairman and members of the board of revenue of Limestone County; and providing that the provisions of this Act shall become effective only upon a majority vote of the qualified electors of the county favoring the adoption of the provisions of the Act in the election held pursuant thereto.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Dement	Huddleston	Nettles
Adams	DeSear	Hunt	Nice
Albea	Dickson	Jenkins	Nolen
Ashworth	Edwards (Escambia)	Johnson (Tallapoosa)	Oakley
Bassett	Edwards (Jefferson)	Kendall	Oden
Boyd	Faulk	Killough	Payne
Bradford	Ferrell	Kirkham	Pirkle
Brannan	Franklin	Lackey	Ramey
Branyon	Gilchrist	Lee (Barbour)	Reynolds
Brassell	Gist	Lee (Lawrence)	Selman
Brewer	Goodwyn	Locke (Choctaw)	Shumate
Broadfoot	Grouby	Locke (Perry)	Simon
Brooks	Hain	Love	Solomon
Brown (Lamar)	Hall	McClendon	Steagall
Brown (Lee)	Haltom	McKay	Stembridge
Callahan	Hanby	McLendon	Stokes
Cornett	Hardy	McNider	Summerlin
Cox	Hare	Martin	Taylor
Crook	Harrison	Meeks	Thomas
Davis	Hawkins	Molette	Vacca
Dawkins	Hodges	Money	Ward
deGraffenried	Holliman	Murphy	

—87

And the bill:

H. 559. To extend, alter and rearrange the boundary lines and corporate limits of the City of Talladega, Talladega County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Adams	Albea	Ashworth
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Bassett	Edwards (Escambia)	Jenkins	Nice
Boyd	Edwards (Jefferson)	Johnson (Tallapoosa)	Nolen
Bradford	Faulk	Kendall	Oakley
Brannan	Ferrell	Killough	Oden
Branyon	Franklin	Kirkham	Payne
Brassell	Gilchrist	Lackey	Pirkle
Brewer	Gist	Lee (Barbour)	Ramey
Broadfoot	Goodwyn	Lee (Lawrence)	Reynolds
Brooks	Grouby	Locke (Choctaw)	Selman
Brown (Lamar)	Hain	Locke (Perry)	Shumate
Brown (Lee)	Hall	Love	Simon
Callahan	Haltom	McClendon	Solomon
Cornett	Hanby	McKay	Steagall
Cox	Hardy	McLendon	Stembridge
Crook	Hare	McNider	Stokes
Davis	Harrison	Martin	Summerlin
Dawkins	Hawkins	Meeks	Taylor
deGraffenried	Hodges	Molette	Thomas
Dement	Holliman	Money	Vacca
DeSear	Huddleston	Murphy	Ward
Dickson	Hunt	Nettles	

—87

H. 432 INDEFINITELY POSTPONED

On motion of Mr. Goodwyn, the bill, H. 432, was indefinitely postponed.

And the bill:

H. 537. To make an appropriation to pay the expenses of the Legislature.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	DeSear	Huddleston	Nettles
Adams	Dickson	Hunt	Nice
Albea	Edwards (Escambia)	Jenkins	Nolen
Ashworth	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Bassett	Faulk	Kaul	Oden
Boyd	Ferrell	Kendall	Payne
Bradford	Franklin	Killough	Perry
Brannan	Gilchrist	Kirkham	Pirkle
Branyon	Gist	Lee (Barbour)	Pruitt
Brassell	Goodwyn	Lee (Lawrence)	Reynolds
Brewer	Gregory	Locke (Choctaw)	Selman
Broadfoot	Grouby	Locke (Perry)	Shumate
Brooks	Hain	Love	Simon
Brown (Lamar)	Hall	McClendon	Solomon
Brown (Lee)	Haltom	McKay	Speaks
Callahan	Hanby	McLendon	Steagall
Cornett	Hardy	McNider	Stembridge
Cox	Hare	Martin	Stokes
Crook	Harrison	Meeks	Summerlin
Davis	Harvey	Molette	Taylor
Dawkins	Hodges	Money	Tyson
deGraffenried	Holliman	Murphy	Vacca
Dement			

—89

MOTION LOST

The motion of Mr. Grouby to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 350, was lost.

MOTION ADOPTED

The motion of Mr. McKay to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 302, was adopted.

And the bill:

H. 302. Defining blind persons, blind-made products and services; prohibiting the sale, distribution, or exhibition of any products or services which are purported to be blind-made other than as herein defined; and providing a penalty.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Dickson	Jenkins	Nolen
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Oakley
Albea	Edwards (Jefferson)	Kaul	Oden
Ashworth	Faulk	Kendall	Payne
Bassett	Ferrell	Killough	Perry
Boyd	Franklin	Kirkham	Pirkle
Bradford	Gilchrist	Lackey	Pruitt
Brannan	Gist	Lee (Barbour)	Ramey
Branyon	Goodwyn	Lee (Lawrence)	Reynolds
Brassell	Gregory	Locke (Choctaw)	Richardson
Brewer	Grouby	Locke (Perry)	Selman
Broadfoot	Hain	Love	Shumate
Brooks	Hall	McClendon	Simon
Brown (Lamar)	Haltom	McKay	Solomon
Brown (Lee)	Hanby	McLendon	Speaks
Callahan	Hardy	McNider	Steagall
Cornett	Hare	Martin	Stembridge
Cox	Harrison	Meeks	Stokes
Crook	Harvey	Molette	Summerlin
Davis	Hodges	Money	Taylor
Dawkins	Holliman	Murphy	Thomas
deGraffenried	Huddleston	Nettles	Tyson
Dement	Hunt	Nice	Vacca
DeSear			

—93

MOTION ADOPTED

The motion of Mr. McKay to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 304, was adopted.

And the bill:

H. 304. Relating to the blind and visually handicapped; authorizing the Adult Blind Department of the Alabama Institute for Deaf and Blind to maintain, develop and supervise work shops and home industries for blind and visually handicapped persons, and to act as sales

agent for the products made by blind and visually handicapped persons and for services of such persons; requiring state departments, agencies and institutions to purchase articles produced by the blind and services rendered by the blind under the supervision of the Adult Blind Department of the Alabama Institute for Deaf and Blind; prescribing the procedure for the requisitioning, purchasing and supply of such articles and services and authorizing political subdivisions of the State to purchase blind-made articles and to procure the services of the blind and visually handicapped in the same manner that state departments, agents and institutions procure them.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hunt	Nice
Adams	Edwards (Escambia)	Jenkins	Nolen
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Payne
Ashworth	Faulk	Kaul	Perry
Bassett	Ferrell	Kendall	Pruitt
Boyd	Franklin	Killough	Ramey
Bradford	Gilchrist	Kirkham	Reynolds
Branyon	Gist	Lackey	Richardson
Brassell	Gregory	Lee (Barbour)	Selman
Brewer	Grouby	Lee (Lawrence)	Shumate
Brooks	Hain	Locke (Choctaw)	Simon
Brown (Lamar)	Hall	Locke (Perry)	Solomon
Callahan	Haltom	McClendon	Speaks
Cornett	Hanby	McKay	Steagall
Cox	Hardy	McLendon	Stembridge
Crook	Hare	McNider	Stokes
Davis	Harrison	Meeks	Summerlin
Dawkins	Harvey	Molette	Taylor
deGraffenried	Hodges	Money	Thomas
Dement	Holliman	Murphy	Tyson
DeSear	Huddleston	Nettles	Vacca

—84

MOTION ADOPTED

The motion of Mr. McKay to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 303, was adopted.

And the bill:

H. 303 (with substitute). To authorize and provide for the operation of stands in buildings and on properties of the State of Alabama, its agencies, institutions, and political subdivisions by blind persons, for the purpose of providing blind persons with remunerative employment, enlarging the economic opportunities of the blind, and stimulating the blind to greater efforts in striving to make themselves self supporting.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on State Administration, said committee substitute being as follows:

SUBSTITUTE FOR H. B. 303

A BILL
TO BE ENTITLED
AN ACT

To authorize and provide for the operation of stands in buildings and on properties of the State of Alabama, its agencies, institutions, and political sub-divisions by blind persons, for the purpose of providing blind persons with remunerative employment, enlarging the economic opportunities of the blind, and stimulating the blind to greater efforts in striving to make themselves self supporting.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) The Vocational Rehabilitation Service of the State Department of Education and the Adult Blind Department of the Alabama Institute for Deaf and Blind, working under a cooperative agreement, shall make surveys of concession stand opportunities for blind persons in buildings and on properties of the State of Alabama, its agencies, institutions, and political subdivisions.

(b) The Vocational Rehabilitation Service of the State Department of Education shall be designated as the agency of the State to issue license to blind persons who are residents of Alabama for the operation of stands in buildings and on property of the State of Alabama, its agencies, institutions, and political subdivisions, for the purpose of vending of newspapers, periodicals, confections, tobacco products, and such other articles as may be approved for each building and property by the licensing agency. Provided, however, that no such license shall be issued for the operation of any such vending stand in any building or on property owned, leased, or used by any county or by any municipality, or any agency thereof, without the approval of the governing body of such county or municipality, which approval, if given, may be withdrawn so as to cancel such license at any time by such governing body.

(c) The Adult Blind Department of the Alabama Institute for Deaf and Blind shall work cooperatively with the licensing agency in the establishment of such concession stands and supervise their operation on a continuing basis.

(d) The Alabama Institute for Deaf and Blind and the State Department of Education, through the Adult Blind Department and the Vocational Rehabilitation Service, respectively, will take such other steps as will be necessary and proper to carry out the provisions of this Act.

(e) The licensing agency shall, in issuing each license for the operation of a vending stand, give preference to blind persons who are residents of Alabama. Each such license shall be issued for an indefinite period but may be terminated by the licensing agency if it is satisfied that the stand is not being operated in accordance with the rules and regulations prescribed by such licensing agency. Such licenses shall be issued only to applicants who are blind within the meaning of this Act but who are able, with such infirmity, to operate such stands.

(f) The licensing agency, after reaching proper agreement with custodian, is authorized to select the location for such stand, the type of stand to be provided, the operator, provide the training and supervision necessary, provide equipment and shelter essential, and adequate initial stock of suitable articles to be vended therefrom.

(g) The head of each department or agency in control of the maintenance, operation, and protection of the state property shall, after consultation with the State Superintendent of Education and the President of the Alabama Institute for Deaf and Blind, prescribe a policy designed to assure such preference for such licensed blind persons.

(h) The State licensing agency is authorized, with the cooperation of the head of the department or agency in control of the maintenance, operation, and protection of the property on which the stand is to be located but subject to policy prescribed pursuant to item (g), to select a location for such stand and the type of stand to be provided.

Section 2. (a). The term "blind person" shall mean an individual having a central visual acuity 20/200 or less in the better eye with correction, or a disqualifying field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater than 20 degrees. Such blindness shall be certified by a duly licensed ophthalmologist.

(b) The term "vending stand" means such shelters, counters, shelves, display and wall cases, refrigerator apparatus, and other auxiliary equipment that may be needed in vending such articles as may be approved by the licensing agency, as well as manual or coin operated vending machines or similar devices.

(c) The term "building and property" means any building, land, or real property owned, leased, or occupied by the State of Alabama, its agencies, institutions, or political subdivisions.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Kaul	Oden
Adams	Edwards (Jefferson)	Kendall	Payne
Albea	Faulk	Killough	Perry
Ashworth	Ferrell	Kirkham	Pirkle
Bassett	Franklin	Lackey	Pruitt
Boyd	Gilchrist	Lee (Barbour)	Ramey
Bradford	Gist	Lee (Lawrence)	Reynolds
Brannan	Goodwyn	Locke (Choctaw)	Richardson
Branyon	Gregory	Locke (Perry)	Selman
Brassell	Grouby	Love	Shumate
Brewer	Hain	McClendon	Simon
Brooks	Hall	McKay	Solomon
Brown (Lamar)	Haltom	McLendon	Speaks
Callahan	Hanby	McNider	Steagall
Cornett	Hardy	Martin	Stembridge
Cox	Hare	Meeks	Stokes
Crook	Harvey	Molette	Summerlin
Davis	Hodges	Money	Taylor
deGraffenried	Holliman	Murphy	Thomas
Dement	Hunt	Nettles	Tyson
DeSear	Jenkins	Nice	Vacca
Dickson	Johnson (Tallapoosa)	Oakley	Ward

And said bill, H. 303, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Dickson	Kaul	Payne
Adams	Edwards (Escambia)	Kendall	Perry
Albea	Edwards (Jefferson)	Killough	Fruitt
Ashworth	Faulk	Kirkham	Ramey
Bassett	Ferrell	Lackey	Reynolds
Boyd	Franklin	Lee (Barbour)	Richardson
Bradford	Gilchrist	Lee (Lawrence)	Roberts
Brannan	Goodwyn	Locke (Choctaw)	Selman
Branyon	Gregory	Locke (Perry)	Shumate
Brassell	Grouby	McClendon	Simon
Brewer	Hain	McKay	Solomon
Brooks	Hall	McLendon	Speaks
Brown (Lamar)	Haltom	McNider	Steagall
Brown (Lee)	Hanby	Martin	Stembridge
Callahan	Hardy	Meeks	Stokes
Cornett	Hare	Molette	Summerlin
Cox	Harvey	Money	Taylor
Crook	Hodges	Nettles	Thomas
Davis	Holliman	Nice	Vacca
deGraffenried	Hunt	Oakley	Ward
Dement	Jenkins	Oden	Wood
DeSear	Johnson (Tallapoosa)		

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RECONSIDERATION AND POSTPONEMENT OF H. 493

The motion of Mr. Hall to reconsider the vote by which the bill, H. 493, was passed, was adopted.

On motion of Mr. Hall, the bill, H. 493, was indefinitely postponed.

MOTION ADOPTED

The motion of Mr. Adams to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 443, was adopted.

And the bill:

H. 443 (with amendment). To amend Section 587 of Title 37, Code of Alabama (1940), which relates to appeals from recorder's court.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Government, said committee amendment being as follows:

**LOCAL GOVERNMENT COMMITTEE AMENDMENT TO HOUSE
BILL NUMBER 443**

Amend House Bill Number 443 by inserting immediately after the words "officer trying the case" and before the words "conditioned to be void" in Section 1 of said bill the following:

or should such recorder or officer trying the case be prevented, by

absence from the city, death or other disability, from approving such bond, such bond may be approved by the city clerk,

And the amendment was adopted.

Yeas 82; Nays 1.

Yeas:

Mr. Speaker	Ferrell	Kendall	Oden
Adams	Franklin	Kirkham	Payne
Albea	Gilchrist	Lackey	Perry
Ashworth	Gist	Lee (Barbour)	Pruitt
Bassett	Goodwyn	Lee (Lawrence)	Ramey
Boyd	Gregory	Locke (Choctaw)	Reynolds
Bradford	Grouby	Locke (Perry)	Richardson
Brannan	Hain	McClendon	Roberts
Brassell	Hall	McKay	Selman
Broadfoot	Haltom	McLendon	Shumate
Brown (Lamar)	Hanby	McNider	Simon
Callahan	Hardy	Martin	Solomon
Cornett	Harrison	Meeks	Steagall
Cox	Harvey	Molette	Stokes
Crook	Hodges	Money	Summerlin
Davis	Holliman	Murphy	Taylor
deGraffenried	Huddleston	Nettles	Thomas
DeSear	Hunt	Nice	Tyson
Edwards (Escambia)	Jenkins	Nolen	Vacca
Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley	Wood
Faulk	Kaul		

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Nays: Mr. Branyon.

—1

And said bill, H. 443, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	DeSear	Hodges	Murphy
Adams	Dickson	Holliman	Nettles
Albea	Edwards (Escambia)	Huddleston	Nice
Ashworth	Edwards (Jefferson)	Hunt	Nolen
Bassett	Faulk	Jenkins	Oakley
Boyd	Ferrell	Johnson (Tallapoosa)	Perry
Bradford	Franklin	Kaul	Pirkle
Brannan	Gilchrist	Kirkham	Pruitt
Branyon	Gist	Lackey	Ramey
Brassell	Goodwyn	Lee (Barbour)	Reynolds
Broadfoot	Gregory	Lee (Lawrence)	Richardson
Brooks	Grouby	Locke (Choctaw)	Roberts
Brown (Lamar)	Hain	Locke (Perry)	Selman
Brown (Lee)	Hall	McClendon	Shumate
Callahan	Haltom	McKay	Simon
Cornett	Hanby	McLendon	Solomon
Cox	Hardy	McNider	Speaks
Crook	Harrison	Martin	Steagall
Davis	Harvey	Molette	Stembridge
deGraffenried	Hawkins	Money	Stokes

Summerlin
Taylor

Thomas
Tyson

Vacca

Wood

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MOTION ADOPTED

The motion of Mr. Harrison to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 454, was adopted.

And the bill:

H. 454. To amend Section 19 of Title 42, Code of Alabama (1940), which relates to probation and suspension of execution of sentence.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Killough	Oden
Albea	Edwards (Jefferson)	Kirkham	Payne
Ashworth	Faulk	Lackey	Ramey
Bassett	Ferrell	Lee (Barbour)	Reynolds
Boyd	Franklin	Lee (Lawrence)	Roberts
Bradford	Gilchrist	Locke (Choctaw)	Selman
Brannan	Gist	Locke (Perry)	Shumate
Branyon	Gregory	Love	Simon
Brassell	Hain	McKay	Solomon
Brewer	Hall	McLendon	Speaks
Broadfoot	Halton	McNider	Steagall
Brooks	Hardy	Martin	Stembridge
Brown (Lamar)	Harrison	Mathews	Stokes
Callahan	Hawkins	Meeks	Summerlin
Cornett	Hodges	Molette	Taylor
Cox	Holliman	Money	Thomas
Crook	Huddleston	Murphy	Tyson
deGraffenried	Hunt	Nettles	Vacca
Dement	Jenkins	Nice	Ward
DeSear	Johnson (Tallapoosa)	Nolen	Wood
Dickson	Kaul	Oakley	

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MOTION ADOPTED

The motion of Mr. Nolen to suspend the rules in order to take up for immediate consideration the third reading of the bills, H. 434 and H. 435, was adopted.

And the bill:

H. 434. To amend Sections 368 and 369 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Boyd	Brassell	Brown (Lamar)
Albea	Bradford	Brewer	Brown (Lee)
Ashworth	Brannan	Broadfoot	Callahan
Bassett	Branyon	Brooks	Cornett

Cox	Haltom	McClendon	Ramey
Crook	Hardy	McKay	Richardson
Davis	Harrison	McLendon	Roberts
deGraffenried	Harvey	McNider	Selman
Dement	Hawkins	Martin	Shumate
DeSear	Hodges	Meeks	Simon
Dickson	Holliman	Molette	Solomon
Edwards (Escambia)	Hunt	Money	Speaks
Edwards (Jefferson)	Jenkins	Murphy	Steagall
Faulk	Johnson (Tallapoosa)	Nettles	Stembridge
Ferrell	Kaul	Nice	Stokes
Franklin	Kirkham	Nolen	Summerlin
Gilchrist	Lackey	Oakley	Taylor
Gist	Lee (Barbour)	Oden	Thomas
Goodwyn	Lee (Lawrence)	Payne	Tyson
Gregory	Locke (Choctaw)	Perry	Vacca
Grouby	Locke (Perry)	Pirkle	Ward
Hain	Love	Pruitt	Wood
Hall			

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And the bill:

H. 435. To amend Section 8, and Section 12 of Act 515, H. 93, approved July 9, 1945, (General Acts 1945, page 734) as amended, which relates to the Employees' Retirement System of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kendall	Payne
Adams	Faulk	Kirkham	Perry
Albea	Ferrell	Lackey	Pirkle
Ashworth	Franklin	Lee (Barbour)	Pruitt
Bassett	Gilchrist	Lee (Lawrence)	Ramey
Boyd	Gist	Locke (Choctaw)	Reynolds
Bradford	Goodwyn	Locke (Perry)	Selman
Branyon	Gregory	Love	Shumate
Brassell	Grouby	McClendon	Simon
Brewer	Hain	McKay	Solomon
Broadfoot	Hall	McLendon	Speaks
Brooks	Haltom	McNider	Steagall
Brown (Lamar)	Hardy	Martin	Stembridge
Callahan	Harrison	Meeks	Stokes
Cox	Harvey	Molette	Summerlin
Crook	Hawkins	Money	Taylor
Davis	Hodges	Murphy	Thomas
deGraffenried	Holliman	Nettles	Tyson
Dement	Hunt	Nice	Vacca
DeSear	Jenkins	Nolen	Ward
Dickson	Johnson (Tallapoosa)	Oakley	Wood
Edwards (Escambia)	Kaul	Oden	

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MOTION LOST

The motion of Mr. deGraffenried to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 385, was lost.

MOTION LOST

The motion of Mr. Davis to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 194, was lost.

MOTION ADOPTED

The motion of Mr. Hawkins to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 485, was adopted.

And the bill:

H. 485. To amend Section 4 of Act No. 46, General and Local Acts 1949, page 68, approved June 2, 1949, entitled "An Act to authorize the incorporation in any county in this state of a public corporation for hospital purposes; to provide the method of effecting the incorporation of such a corporation and electing the members of its board of directors; to specify the powers of such board of directors and the powers of such corporation; to authorize the issuance by such corporation of securities and the mortgage and pledge of its properties and revenues as security therefor; to provide that securities of such corporation shall be negotiable instruments and shall be eligible for investment of trust funds; to exempt from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of such corporation; to provide for the dissolution of such corporation; and to authorize the county in which such corporation may be organized and any municipality located in such county to transfer and convey to such corporation without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes," and to amend Section 6 of said Act No. 46, General and Local Acts 1949, page 68, approved June 2, 1949, entitled as aforesaid, as amended by Act No. 57, General Acts 1955, Special Session, approved March 7, 1955, entitled "An Act to amend Section 6 of Act No. 46, S. 154, approved June 2, 1949, an act which authorizes the incorporation in any county of a public corporation for hospital purposes (1949 Acts 68)."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Murphy
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Nice
Albee	Faulk	Kaul	Nolen
Bassett	Franklin	Kendall	Payne
Bradford	Gilchrist	Lackey	Perry
Brannan	Gist	Lee (Barbour)	Pirkle
Branyon	Goodwyn	Lee (Lawrence)	Richardson
Brassell	Gregory	Locke (Choctaw)	Selman
Brewer	Grouby	Locke (Perry)	Shumate
Broadfoot	Hain	Love	Simon
Brown (Lamar)	Hall	McClendon	Solomon
Callahan	Hanby	McKay	Speaks
Cornett	Hardy	McLendon	Steagall
Crook	Harrison	McNider	Stembridge
Davis	Harvey	Martin	Stokes
Dawkins	Hawkins	Meeks	Summerlin
deGraffenried	Hodges	Molette	Thomas
Dement	Holliman	Money	Tyson
DeSear	Hunt		

MOTION ADOPTED

The motion of Mr. Lee (Barbour) to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 477, was adopted.

And the bill:

H. 477. To Amend Section 2 of Title 51 of the Code of Alabama of 1940, which Relates to Exemptions from Ad Valorem Taxation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kaul	Oakley
Adams	Faulk	Kelly	Oden
Albea	Ferrell	Kirkham	Payne
Bassett	Franklin	Lackey	Perry
Boyd	Gilchrist	Law	Pruitt
Bradford	Gist	Lee (Barbour)	Ramey
Brannan	Goodwyn	Lee (Lawrence)	Reynolds
Branyon	Grouby	Locke (Choctaw)	Richardson
Brassell	Hain	Locke (Perry)	Selman
Brewer	Hall	McClendon	Shumate
Broadfoot	Haltom	McKay	Simon
Brown (Lainar)	Hanby	McLendon	Solomon
Callahan	Hardy	McNider	Speaks
Cornett	Harrison	Martin	Steagall
Crook	Harvey	Meeks	Stembridge
Davis	Hodges	Molette	Stokes
Dawkins	Holliman	Money	Summerlin
deGraffenried	Huddleston	Murphy	Thomas
Dement	Hunt	Nettles	Tyson
DeSear	Jenkins	Nice	Ward
Dickson	Johnson (Elmore)	Nolen	Wood
Edwards (Escambia)	Johnson (Tallapoosa)		

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CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:00 A.M. On July 1, 1955

H. 119

H. 126

H. 174

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Lackey the House adjourned until Wednesday, July 6, 1955, at twelve o'clock, noon.

EIGHTEENTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, July 6, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend V. L. Bryant, Minister, Oak Park Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards (Escambia)	Kelly	Oakley
Adams	Edwards (Jefferson)	Kendall	Oden
Albea	Faulk	Killough	Payne
Ashworth	Ferrell	Kirkham	Perry
Bassett	Franklin	Lackey	Pirkle
Boyd	Gilchrist	Law	Pruitt
Bradford	Gist	Lee (Barbour)	Ramey
Brannan	Goodwyn	Lee (Lawrence)	Reynolds
Branyon	Gregory	Locke (Choctaw)	Richardson
Brassell	Grouby	Locke (Perry)	Roberts
Brewer	Hain	Love	Shumate
Broadfoot	Hall	McClendon	Simon
Brooks	Haltom	McKay	Solomon
Brown (Lamar)	Hanby	McLendon	Speaks
Brown (Lee)	Hardy	McNider	Steagall
Burkhalter	Hare	Martin	Stembridge
Callahan	Harrison	Mathews	Stokes
Cornett	Harvey	Mathison	Summerlin
Cox	Hodges	Meeks	Taylor
Crook	Holliman	Mollette	Thomas
Davis	Huddleston	Money	Tyson
Dawkins	Hunt	Murphy	Vacca
deGraffenried	Jenkins	Nettles	Ward
Dement	Johnson (Elmore)	Nice	Windle
DeSear	Johnson (Tallapoosa)	..olen	Wood
Dickson	Kaul		

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A quorum was present.

REPORT OF THE STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the seventeenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Dawkins, the reading at length of the Journal of the House for the seventeenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the seventeenth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 155. For the relief of Perry Cumbie of Montgomery, Alabama.

Also:

S. 174. To amend Section 1, of Act No. 311, approved July 31, 1951, as amended by Act No. 14, approved February 15, 1955, which fixes the compensation of the Sheriff in counties of more than 96,000 population and less than 140,000 population, according to the last Federal census or any subsequent Federal census and provides for help and assistance and other expenses necessary to the conduct of the office of Sheriff, by providing for the appointment of the Chief Deputy independently from the Merit Board roster in those counties under this Act having a Merit System.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs: Shelton, Givhan, Davis (Lowndes), Cooper, Engelhardt, Yarbrough (Randolph), Coleman, Lamberth, Albert Davis, Vann, Moses, Roberts, Allen, Goodwin, James, Jones, Flowers, Eddins, Yarbrough (Autauga):

S.J.R. 39. Whereas milk is recognized as nature's most nearly perfect food and as such is a most valuable source of nutrition; and

Whereas the young people of our great State visit the Legislature from time to time; and

Whereas the members of the Legislature recognize the desirability of having a supply of fresh wholesome milk readily available, not only for the convenience of visitors, but also for the members' own use and benefit and for that of the state employees; now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING: That the Legislature of Alabama hereby goes on record as favoring and recommending the installation of milk vending machines in the rotunda of the Capitol, between the Senate and the House chambers; and that it is recommended further that milk vending machines be installed in all state office buildings.

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the Honorable James E. Folsom, Governor of the State of Alabama.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Albea the rules were suspended and the House concurred in and adopted the S.J.R. 39 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Reeves:

S. 185. To authorize the Court of County Commissioners of Pike County, Alabama to provide a deputy circuit Clerk for Pike County, Alabama to be appointed by and to serve at the pleasure of the circuit clerk of Pike County, Alabama; to provide for the salary of such deputy to be determined by said Court of County Commissioners in an amount not exceeding \$1800.00 per year payable in equal monthly installments from the general fund of said county; and to provide that the said Court of County Commissioners of Pike County, Alabama shall have the full power and authority to revoke or suspend the provisions and allowances for the deputy circuit clerk at any time.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made to the present session of the Legislature of Alabama for the passage and enactment of a bill substantially as follows: to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the Court of County Commissioners of Pike County, Alabama to provide a deputy circuit clerk for Pike County, Alabama to be appointed by and to serve at the pleasure of the circuit clerk of Pike County, Alabama; to provide for the salary of such deputy to be determined by said Court of County Commissioners in an amount not exceeding \$1800.00 per year payable in equal monthly installments from the general fund of said county; and to provide that the said court of County Commissioners of Pike County, Alabama shall have the full power and authority to revoke or suspend the provisions and allowances for the deputy circuit clerk at any time.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the Court of County Commissioners of Pike County, Alabama is hereby authorized to provide a deputy circuit clerk for said county, who shall be appointed by and shall serve at the pleasure of the circuit clerk of Pike County, Alabama.

Section 2. That the salary of such deputy circuit clerk shall be determined by the Court of County Commissioners of Pike County, Alabama in an amount not to exceed \$1800.00 per year and shall be payable in equal monthly installments from the general fund of said county.

Section 3. That the Court of County Commissioners of Pike County, Alabama shall have full power and authority to revoke or

suspend the provisions and allowances for said deputy circuit clerk at any time.

Section 4. That all laws or parts of law General, Special or local in conflict herewith be and the same are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PIKE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Glenn Jones, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Troy Messenger, a newspaper of general circulation published in Pike County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 19th, May 26th, June 2nd, and June 9th, all in the year 1955.

GLENN JONES.

Sworn to and subscribed before me June 17th, 1955.

CHRISTINE C. SMYTH,
Notary Public.

Also:

By Mr. Reeves:

S. 184. Relating to Pike County; authorizing the Court of County Commissioners of said county, during such times as the Circuit Solicitor of the Twelfth Judicial Circuit shall not reside in said county, to provide a clerk for the Deputy Solicitor for Pike County; to provide for the appointment and term of office of said clerk, to fix the salary of said clerk and provide for the payment thereof.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF PIKE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and Application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Pike County; authorizing the Court of County Commissioners of said county, during such times as the Circuit Solicitor of the 12th Judicial Circuit shall not reside in said county to provide a clerk for the deputy solicitor for Pike County; to provide for the appointment and term of office of said clerk, to fix the salary of said clerk and provide for the payment thereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1: That the Court of County Commissioners of Pike County is hereby authorized, during such times as the Circuit Solicitor of the

Twelfth Judicial Circuit shall not reside in said county, to provide a clerk for the Deputy Solicitor of Pike County, who shall be appointed by the Deputy Solicitor of Pike County and who shall hold said office at the pleasure of the said Deputy Solicitor of said county, and who shall receive a salary to be determined by said Court of County Commissioners not to exceed \$1,500.00 per annum to be paid in twelve equal monthly installments out of the general fund of said county.

Section 2. That the Court of County Commissioners of said county shall have full power and authority to revoke or suspend the provisions and allowances for said clerk at any time.

Section 3. That all laws or parts of laws in conflict with the provisions hereof are hereby repealed.

Section 4: That this Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PIKE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Glenn Jones, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Troy Messenger, a newspaper of general circulation published in Pike County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 19th, May 26th, June 2nd, and June 9th, all in the year 1955.

GLENN JONES.

Sworn to and subscribed before me June 17th, 1955.

CHRISTINE C. SMYTH,
Notary Public.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 185. Local Legislation No. 1.

S. 184. Local Legislation No. 1.

ANNOUNCEMENT OF STANDING COMMITTEE ON MILITARY AFFAIRS

The Speaker of the House announced the appointment of the following members to the Standing Committee on Military Affairs.

Messrs. Oden, Chairman; Fite, Vice-Chairman; Hare, Davis, Branyon, Brown (Lamar), Dement, Tyson, Edwards (Escambia), deGraffenried, Stembridge, Steagall, Burkhalter, Brewer, Martin.

RESOLUTION

The following Resolution was introduced:

By Mr. Adams:

H. J. R. 42. Whereas Honorable Albert Rains, Member of Congress from the Fifth District of Alabama, has introduced into the House of Representatives, H. R. 288, which Bill provides for the establishment of the Horseshoe Bend National Military Park, in the State of Alabama; and

Whereas an organization composed of interested citizens has been formed, known as the Horseshoe Bend Battle Park Association, which organization is composed of people who are bending every effort to encourage the passage of H. R. 288; and

Whereas the members of the Alabama House of Representatives are convinced that the Battle of Horseshoe Bend, fought on March 27, 1814, between United States Forces under the leadership of General Andrew Jackson and the warriors of the Creek Indian Nation, led by Chief Menawa, was one of the most significant military engagements in American history; and

Whereas the conclusive victory at this great battle was responsible for the opening up of a large area of the Southeastern United States for settlement by the white man; and in addition, gave impetus to and support of the careers of Andrew Jackson, Sam Houston, John Coffee and others who were destined to play an important role in the history of this mighty nation; be it

Resolved by the Legislature of Alabama, both Houses thereof concurring, that:

1. The Legislature of the State of Alabama approves the efforts of the members of the Horseshoe Bend Battle Park Association to procure the establishment of a National Military Park at Horseshoe Bend in Tallapoosa County, and commends them for their interest and good work;

2. The Legislature of Alabama hereby memorializes Congress to enact into law H. R. 288, which legislation would create a Military Park at the site of the Battle of Horseshoe Bend, assuring the Congress that it is the belief and opinion of this assemblage that the Battle of Horseshoe Bend is one of the most far reaching encounters ever fought by American Arms in the establishment of our Republic, and deserves to be forever commemorated, honoring the courageous men who fought and fell there for principles to which they had dedicated themselves.

Resolved further, that the Clerk of the House be directed to transmit copies of this Resolution to:

1. The Clerk of the House of Representatives, United States Congress.
2. The Secretary of the United States Senate.
3. Each member of Alabama's delegation in Congress.
4. Each member of the Committee on Interior and Insular Affairs, House of Representatives, United States Congress.
5. The Secretary of the Department of Interior.

On motion of Mr. Adams the rules were suspended and H. J. R. 42 was adopted.

BILLS ON SECOND READING

Mr. Murphy Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the

following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 596. To authorize and provide for the establishment, maintenance, operation and financing of a public law library in Etowah County, Alabama.

H. 593. Relating to Baldwin County: To provide that State witness compensation fees and mileage for witnesses appearing before the Grand Jury or testifying in criminal cases in the Circuit Court or The County Court of Baldwin County shall be payable out of the Fine and Forfeiture Fund of said county; to provide for the transfer of all State witnesses' fees collected by the Clerk of the Circuit Court or the County Court of Baldwin County to the Fine and Forfeiture Fund; to provide for the registration of witnesses' script heretofore or hereafter issued and for the order of payment thereof.

H. 609. Relating to Wilcox County; regulating further the attendance of children at school; prescribing the duties of the county board of education in connection with the administration of the Act; and providing that the Act shall become effective if and when compulsory segregation of the races in the public schools of Wilcox County is invalidated by a judgment, order, or decree of a court of competent jurisdiction.

H. 580. To amend an Act entitled "An Act to further provide for and regulate the selection, qualification and election of the members of the Board of Education of Marengo County," approved July 8, 1935 (Act No. 183, S. 234, Local Acts of Alabama, 1935, p. 106).

H. 606. To amend further Section 8 of an act "to create and establish in Mobile County, Alabama, a county wide Civil Service System" approved September 15, 1939 (Local Acts, 1939, page 298).

Mr. Thomas Vice-Chairman of the Standing Committee on Health reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 193 (with substitute). To define, regulate and license barbers and barber shops, barber colleges and like businesses, to create a State Board of Barber Examiners, define their powers and duties, fix their compensation, fix and prescribe license fees for barbers, barber shops, barber colleges and like businesses, to prescribe penalties and punishment for the violation of this act.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. McNider:

H. 620. To amend Section 275 of Title 14 of the Code of Alabama of 1940 relating to carrying on and representing a lottery and the selling of tickets in the same and the penalties therefor.

Judiciary.

By Mr. Davis:

H. 621. To prohibit any shipper or receiver of freight moving in intrastate commerce in Alabama from entering into or participating in any contract, combination, conspiracy or agreement to prohibit or restrain the use of any form of public transportation or to fix any price

in such a manner that it will unduly prefer one type or form of transportation intrastate in Alabama over another and to provide penalties for the violation of this Act.

Ways and Means.

By Messrs. Albea and Thomas:

H. 622. To amend Section 437 of Title 14, Code of Alabama (1940), which describes the persons who are vagrants.

Judiciary.

By Messrs. Hain, Hardy, and Molette:

H. 623. To amend Sections 4, 16, and 21 of Title 19, Code of Alabama (1940), which relate to eminent domain proceedings; providing that notice of such proceedings must be recorded in the lis pendens record in the office of the judge of probate, and that notice of orders of condemnation shall also be recorded in such office.

Judiciary.

By Messrs. Hain, Hardy, and Molette:

H. 624. To amend Section 509, Title 37, Code of Alabama (1940), which relates to ad quod damnum proceedings by municipalities; providing that notice of such proceedings must be recorded in the office of the probate judge.

Judiciary.

By Messrs. Hain, Hardy, and Molette:

H. 625. To amend further Section 26 of Title 17, Code of Alabama (1940), which relates to the meetings of boards of registrars, eliminating the requirement that registrars on certain occasions must visit each precinct for the purpose of registering voters.

Constitution and Elections.

By Messrs. Hain, Hardy, Molette and Albea:

H. 626. Relating to the management of public records of the state, or any political subdivision thereof; providing for the photographing or microphotographing of public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers, and for the defrayment of the cost incurred for the purchase or lease of photographic or microphotographic equipment; and creating a state records commission and a county records commission to regulate the destruction or disposal of public records.

Judiciary.

By Messrs. Roberts and Reynolds:

H. 627. Creating the office of Deputy Circuit Solicitor in the Twenty-third Judicial Circuit; and providing for his appointment, duties and compensation.

Ways and Means.

By Messrs. Roberts and Reynolds:

H. 628. To create an additional judgeship for the Twenty-third Judicial Circuit of Alabama, and to provide for the election, term, compensation, powers, duties, and authority of such judge.

Ways and Means.

By Mr. Fite (with notice and proof):

H. 629. Relating to Marion County: To authorize and direct the governing body of the county to call an election for the purpose of determining whether or not additional county privilege or excise taxes shall be imposed for the purposes specified in this Act; to authorize the levying of such taxes on chewing gum, candies and other enumerated

snack-bar items; to charge the county governing body with the collection and enforcement of the tax and to authorize such governing body to prescribe procedure for exempting items sold for use outside the county from the tax; to require that stamps be affixed to these items to evidence the payment of the tax; to provide for the distribution of revenues arising from the tax; and to prescribe penalties for violations of the rules and regulations prescribed by the county governing body pursuant to this Act.

Local Legislation No. 1.

Notice and Proof H. 629:

**STATE OF ALABAMA
COUNTY OF MARION**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Marion County: To authorize and direct the governing body of the county to call an election for the purpose of determining whether or not additional county privilege or excise taxes shall be imposed for the purposes specified in this Act; to authorize the levying of such taxes on chewing gum, candies and other enumerated snack-bar items; to charge the county governing body with the collection and enforcement of the tax and to authorize such governing body to prescribe procedure for exempting items sold for use outside the county from the tax; to require that stamps be affixed to these items to evidence the payment of the tax; to provide for the distribution of revenues arising from the tax; and to prescribe penalties for violations of the rules and regulations prescribed by the county governing body pursuant to this Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Board of Revenue or other governing body of Marion County is hereby authorized and directed to call an election for the purpose of determining whether or not an additional county tax for the use of the county general fund and for school purposes shall be levied, such tax to be a privilege or excise tax of one cent (1c) per package on the sale, distribution or use in Marion County of chewing gum in packages containing less than fourteen sticks or pieces and candies and other confectionery, cakes, cookies, crackers, shelled nuts (salted or unsalted) pastries, potato chips, popcorn, and pig skins when packed, distributed or used in original packages weighing less than three and one-half ounces.

Section 2. The election hereby required shall be held on a date not later than the first Tuesday after the expiration of three months following final adjournment of the 1955 regular session of the Legislature, such date to be fixed by the county governing body. Due notice of the election shall be given by the county governing body at least thirty days prior to the date the election is to be held; and the election shall be held and conducted under the rules and regulations governing the holding of general elections, and the officers holding the same shall receive the same compensation. The ballot to be used at the election shall have printed thereon the following: "Shall county privilege or excise taxes be levied for the use of the county general fund and for school purposes in Marion County as authorized by Act No., H. B., approved....., 1955? Yes ()

No ().” The election shall be by the qualified electors of the county; and should a majority of those participating in said election vote in favor of the imposition of the taxes herein provided for, the governing body of the county may impose such taxes, and prescribe rules and regulations for the enforcement thereof.

Section 3. Should a majority of the voters participating in the election vote for imposing the privilege or excise tax, the Board of Revenue, or other governing body, hereinafter referred to as the board, may impose a privilege or excise tax of not exceeding one cent (1c) per package on the items, listed in Section 1 of this Act, on every person, firm or corporation selling, distributing or using in Marion County these items when packed, distributed, sold or used in original packages of the size, weight or content set out in Section 1. When the board imposes the tax authorized, it shall require that every package of the above listed items, which is subject to this tax, shall have securely affixed thereto a stamp, bearing the words, “Marion County Emergency School Tax,” as evidence of the payment of this tax before it is sold or used in the county, and shall prescribe rules and regulations providing for sale of the stamps hereby required by the clerk of the board, and prescribing the manner of and time for affixing such stamps. It is the intent of this Act that this tax shall be paid only once on each package. If the distributor or wholesale vendor affixes the stamps the retail vendor or user need not affix another stamp, but no retail vendor or user shall sell or use an item subject to this tax unless the stamps evidencing the payment of this tax have been affixed. Any person who has paid the tax may add the cost of tax to the price for which he resells the item, it being the intent that this tax shall be paid by the consumer. The tax hereby authorized shall be in addition to any and all other taxes imposed by the State of Alabama or any governmental agency or subdivision of the State on the items enumerated in this Act or on persons, firms or corporations, selling, distributing or using items subject to this tax.

Section 4. The board is charged with the duty of enforcing the provisions of this Act and its own rules and regulations promulgated pursuant thereto. It shall prescribe the form or design of the stamps hereby required but such stamps must bear the words, “Marion County Emergency School Tax.” The board shall also prescribe rules and regulations governing the issuance and affixing of such stamps and requiring reports from vendors and users of the items taxed under authority of this Act. The board may, by rules, provide that wholesale vendors or distributors whose chief place of business is in Marion County, but who sell items to which this tax applies for resale or use outside Marion County need not affix to the package for sale or use outside Marion County the tax imposed, even though such items may be temporarily stored in the county.

The board shall provide the necessary officers and employees to enforce the collection of the tax, including such clerical assistants and inspectors as are needed, and may fix their compensation. The compensation of such employees and other expenses necessary and incident to collecting the tax and enforcing this Act shall be paid by Marion County.

Section 5. After a tax has been levied pursuant to this Act no person, firm or corporation shall sell, distribute or use in Marion County any chewing gum in a package containing less than fourteen sticks or pieces, or any candy or other confectionery, cakes, cookies, crackers, shelled nuts (salted or unsalted), pastries, potato chips, popcorn or pig skins packed in original packages weighing less than three and one-half ounces without complying with the rules and regulations of the board prescribed pursuant to this Act and paying all taxes for which he is liable under this Act. Every person selling, distributing or using in

Marion County any of the items listed in this section shall keep such books, records, documents and papers as will clearly show the number of packages of such items and content of each package sold or used in Marion County and such books and records, documents and papers shall be open at all reasonable times to inspection by the board, any member thereof and any officer or employee charged with the duty of collecting and enforcing the tax hereby authorized. Any person who violates this Act or any rules or regulations of the board promulgated pursuant hereto shall upon conviction be fined not more than five hundred dollars.

Section 6. Any vendor, distributor or user of any items subject to the tax hereby authorized who fails to comply with any rule or regulation of the board promulgated pursuant to this Act may be restrained by proper legal proceedings from sellings, distributing or using the items, taxable hereunder, until he shall have complied with such rules and regulations. The proceedings shall be instituted in the name of the county, by counsel appointed by the county.

Section 7. The proceeds of the county excise tax authorized in this Act shall, when collected by the clerk of the board be paid into the county treasury and all revenues arising therefrom shall be used exclusively as follows: Twenty percent (20%) for the county general fund and eighty percent (80%) for school purposes.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this Act are repealed.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

4t-6-2

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert E. Bonham, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 2, June 9, June 16, and June 23, all in the year 1955.

ROBERT E. BONHAM.

Sworn to and subscribed before me July 5, 1955.

IDELLA MOORE,
Notary Public,
Marion County, Alabama.

By Mr. Fite (with notice and proof):

H. 630. Relating to Marion County: To authorize and direct the county governing body to call an election for the purpose of determining whether or not additional county privilege or excise taxes shall be imposed for the purposes specified in this Act; to authorize the levying

of such taxes on tobacco and certain tobacco products; to impose duties and confer powers on the county governing body, and the clerk thereof, relative to the collection of such tax; to prescribe the method or manner of evidencing the payment of the tax; to provide for the distribution of the revenues arising from the tax; to impose duties on vendors, storers and distributors of tobacco and tobacco products; and to prescribe penalties.

Local Legislation No. 1.

Notice and Proof H. 630:

**STATE OF ALABAMA
COUNTY OF MARION**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Marion County: to authorize and direct the county governing body to call an election for the purpose of determining whether or not additional county privilege or excise taxes shall be imposed for the purposes specified in this Act; to authorize the levying of such taxes on tobacco and certain tobacco products; to impose duties and confer powers on the county governing body, and the clerk thereof, relative to the collection of such tax; to prescribe the method or manner of evidencing the payment of the tax; to provide for the distribution of the revenues arising from the tax; to impose duties on vendors, storers and distributors of tobacco and tobacco products; and to prescribe penalties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of revenue or other governing body of Marion County is hereby authorized and directed to call an election for the purpose of determining whether or not an additional county excise or privilege tax shall be imposed for the use of the county general fund and for school purposes on tobacco and tobacco products as hereinafter provided.

Section 2. The election hereby required shall be held on a date not later than the first Tuesday after the expiration of three months following final adjournment of the 1955 regular session of the Legislature, such date to be fixed by the county governing body. Due notice of the election shall be given by the county governing body at least thirty days prior to the date the election is to be held; and the election shall be held and conducted under the rules and regulations governing the holding of general elections, and the officers holding the same shall receive the same compensation. The ballot to be used at the election shall have printed thereon the following: "Shall county privilege or excise taxes be levied for the use of the county general fund and for school purposes in Marion County as authorized by Act No. _____, H. B. _____, approved _____, 1955? Yes () No ()." The election shall be by qualified electors of the county; and should a majority of those participating in said election vote in favor of the imposition of the taxes herein provided for, the governing body of the county may impose such taxes, and prescribe rules and regulations for the enforcement thereof.

Section 3. Should a majority of the voters participating in the election vote for imposing the county privilege or excise tax the board of revenue or other governing body of Marion County, hereinafter referred

to as the board, may impose upon every person, firm, or corporation who sells, stores, or distributes tobacco or tobacco products within Marion County a privilege or excise tax not to exceed the following amounts on the following tobacco products:

(1) On cigarettes, made of tobacco or any substitute therefor, for each twenty cigarettes or fraction of that number, two cents (2c);

(2) On cigars of all descriptions made of tobacco, or any substitute therefor, weighing not more than three pounds per thousand, one cent for each ten cigars or fraction of that number;

(3) On all other cigars, made of tobacco or any substitute therefor one cent for each five cigars or fraction of that number;

(4) On all smoking tobacco including granulated, plug cut, crimp cut, ready rubbed and other kinds and forms of tobacco prepared in such manner as to be suitable for smoking in a pipe or cigarette when packed in quantities of more than two ounces one cent per ounce or fractional part thereof.

The tax hereby authorized shall be paid through the use of stamps, bearing the words "Marion County Emergency School Tax." Stamps in the amount of the tax shall be affixed securely to the box or other container from or in which the taxed tobacco products are normally sold at retail. When sales of tobacco products are made from original containers the stamps shall be affixed in such a manner that the stamps shall be torn in two or mutilated when the containers or boxes are opened for the sale of the tobacco products. In the case of cigarettes and smoking tobacco the required stamps to cover the tax shall be affixed to each individual package or container.

Section 4. The board shall provide for the issuance of the stamps by the clerk of the board and shall prescribe rules and regulations governing the issuance of such stamps and requiring reports from all persons, firms or corporations, selling, storing or distributing any of the tobacco products taxed hereunder. It shall also provide the necessary officers and employees, including clerical workers and inspectors to collect the tax and enforce its rules and regulations relative to this tax. The board shall fix the compensation of such clerical assistants and inspectors. The compensation of such employees and the expenses necessary and incident to collecting the tax and enforcing this Act shall be paid by Marion County.

Section 5. After a tax has been levied pursuant to this Act no person shall sell, store or distribute any tobacco or tobacco product, which is subject to the tax, without complying with the rules prescribed by the board pursuant to this Act, and paying any and all taxes for which he is liable under this Act. Every person, firm or corporation selling, storing or distributing in Marion County any tobacco or tobacco product shall keep such books, records, documents and papers as will enable the board, or an authorized employee thereof to determine the tax due the county under this Act, and such records shall at all reasonable times be open to inspection by the board or any employee or officer charged with the duty of collecting and enforcing the tax hereby authorized. Any person who violates this Act or any rule or regulation of the board promulgated pursuant to this Act, shall upon conviction thereof be fined not less than five hundred dollars.

Section 6. Any person, firm or corporation selling, storing or distributing any tobacco or tobacco products, subject to the tax hereby authorized, who fails to comply with any rule or regulation of the board promulgated pursuant to this Act may be restrained by proper legal

proceedings from engaging in such business in Marion County until he shall have complied with such rules and regulations. Such proceedings shall be instituted in the name of the county by counsel appointed by the board.

Section 7. The proceeds of the excise tax authorized in this Act, when collected by the clerk of the board, shall be paid into the county treasury, and all revenues arising therefrom shall be used exclusively as follows: Twenty percent (20%) for the county general fund and eighty percent (80%) for school purposes.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this Act are repealed.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

4t 6-2

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert E. Bonham, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 2, June 9, June 16, and June 23, all in the year 1955.

ROBERT E. BONHAM.

Sworn to and subscribed before me July 5, 1955.

IDELLA MOORE,
Notary Public,
Marion County, Alabama.

By Mr. Fite (with notice and proof):

H. 631. Authorizing and specifying the procedure for the organization of a public corporation in Marion County, Alabama, for the purpose of acquiring, constructing, leasing, owning and operating irrigation projects, hydro-electric power producing projects, and selling water and water rights; granting certain other powers upon a corporation so created; authorizing the issuance of revenue bonds, and revenue refunding bonds, payable solely from the revenues of such projects for the purpose of paying the costs of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; providing that no bonds or other obligations of the corporation shall create a debt of the county, the State, or any political subdivision thereof; granting a corporation so created the right of eminent domain; and prescribing penalties for the violation of certain provisions of this Act.

Local Legislation No. 1.

Notice and Proof H. 631:

NOTICE OF INTENTION TO INTRODUCE A LOCAL BILL
STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that there will be introduced in the Legislature of Alabama a local bill applicable to Marion County authorizing and specifying the procedure for the organization in said county of a county water conservation and irrigation authority as a public corporation for the purpose of acquiring, constructing, leasing, owning and operating irrigation projects and hydroelectric power producing projects in said county, selling power produced therefrom and selling, granting or leasing water or water rights; authorizing the issuance by said corporation of revenue bonds, including refunding bonds, payable solely from the revenues of such projects for the purpose of paying the cost thereof; authorizing such corporation to fix, revise, charge and collect tolls, rentals and charges for its services or products, to promulgate rules and regulations in the operation of any of its projects and the use thereof, and to exercise the power of eminent domain; providing that all such bonds shall be negotiable instruments; exempting from taxation any trust agreement made with respect to any such bonds, the projects of such corporation and the income therefrom, and all such bonds and the income therefrom; providing that such bonds shall be legal investments by the state and its agencies, those engaged in the business of banking including savings and loan associations, those engaged in the insurance business, and all fiduciaries; authorizing the deposit of such bonds with any state or municipal officer or agent for any purpose for which the deposit of bonds of this state is now or may hereafter be authorized by law; authorizing the issuance of notes by said corporation and providing that the provisions of said bill relating to bonds shall apply to such notes insofar as may be applicable; authorizing the said county and cities, town or other political subdivisions of the state located in the county, and all agencies of the state, to lease, lend, grant and convey to said corporation any real property necessary or convenient to the effectuation of the authorized purposes of the corporation, including public roads and other real property already devoted to public use; and providing that no officer of such corporation shall have any interest in any contract of such corporation and making the violation of such restriction a misdemeanor.

4t 5-19

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert E. Bonham, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 19, May 26, June 2 and June 9, all in the year 1955.

ROBERT E. BONHAM.

Sworn to and subscribed before me July 5, 1955.

IDELLA MOORE,
Notary Public,
Marion County, Alabama.

By Mr. Fite (with notice and proof):

H. 632. Relating to Marion County; to amend Section 5 of Act No. 58 adopted at the Second Special Session of the Legislature of Alabama of 1955 so as to change the method and purpose of distribution of the revenues arising from the tax levied by said act and so as to authorize the use and pledge of a portion thereof for the payment of the principal of and interest on certain securities which may be issued pursuant to law.

Local Legislation No. 1

Notice and Proof H. 632:

NOTICE

STATE OF ALABAMA,
COUNTY OF MARION:

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Marion County; to amend Section 5 of Act No. 58 adopted at the Second Special Session of the Legislature of Alabama of 1955 so as to change the method and purpose of distribution of the revenue arising from the tax levied by said act and so as to authorize the use and pledge of a portion thereof for the payment of the principal of and interest on certain securities which may be issued pursuant to law.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 5 of Act No. 58 adopted at the Second Special Session of the Legislature of Alabama of 1955 and approved April 13, 1955, which act is entitled "An Act relating to Marion County; levying a county privilege license tax on electric and hydro-electric public utilities, providing for the collection and enforcement of such tax and for the distribution and use of the proceeds thereof", be and the same is hereby amended so that the said section shall read as follows:

"Section 5. All revenue arising from the tax levied by this Act shall be used exclusively for the following purposes: (1) One-third ($\frac{1}{3}$) thereof shall be paid into the county treasury to be used for the construction, maintenance and operation of a county airport in said county and for payment of the principal of and interest on any securities which may be issued by said county pursuant to law for any of said purposes; (2) One-fourth ($\frac{1}{4}$) thereof shall be paid into the county treasury to be used for constructing, providing and equipping a county courthouse in said county and for payment of the principal of and interest on any securities which may be issued by said county pursuant to law for any of said purposes; and (3) Five-twelfths ($\frac{5}{12}$) thereof shall be paid into the county treasury for the general fund of said county. In the event a public corporation should hereafter be created in said county by or pursuant to any law now or hereafter enacted for the purpose of constructing, maintaining or operating a county airport, the revenue herein allocated for the construction, maintenance and operation of a county airport and which shall not be necessary to service any securities theretofore issued by said county for any of said purposes shall be paid to such public corporation for said purposes, but the same or any part thereof may be used and pledged by such public corporation solely for the payment of the principal of and interest on any securities which may

be issued by it pursuant to law for the construction of a county airport. In the event the county should hereafter rent or lease a building or building from a public corporation for use as a county courthouse in lieu of itself constructing a new county courthouse, then the revenue herein allocated for constructing, providing and equipping a county courthouse and which shall not be necessary to service any securities theretofore issued by said county for any of said purposes shall be used by said county solely for payment of the rent which said county shall become obligated to pay for the use of such building or buildings and may be pledged by said county for payment of such rent under the provisions of the lease contract which the county may make with respect thereto."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

4t 6-9

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert E. Bonham, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 9, June 16, June 23, and June 30, all in the year 1955.

ROBERT E. BONHAM.

Sworn to and subscribed before me July 5, 1955.

IDELLA MOORE,
Notary Public,
Marion County, Alabama.

By Mr. Fite (with notice and proof):

H. 633. Relating to Marion County: To authorize and direct the county governing body to call an election for the purpose of determining whether or not additional county privilege or excise taxes shall be imposed for the purposes designated in this Act; to authorize the levying of such taxes on bottled soft drinks and syrup used in making soft drinks; to impose duties and confer powers on the county governing body and the clerk thereof relative to the collection of such tax; to prescribe the method or manner of evidencing the payment of the tax; to provide for the distribution of revenues arising from the tax; to impose duties on manufacturers, bottlers, distributors and users of bottled soft drinks and syrup; and to prescribe penalties.

Local Legislation No. 1.

Notice and Proof H. 633:

STATE OF ALABAMA COUNTY OF MARION

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Marion County: to authorize and direct the county governing body to call an election for the purpose of determining whether

or not additional county privilege or excise taxes shall be imposed for the purposes designated in this Act; to authorize the levying of such taxes on bottled soft drinks and syrup used in making soft drinks; to impose duties and confer powers on the county governing body and the clerk thereof relative to the collection of such tax; to prescribe the method or manner of evidencing the payment of the tax; to provide for the distribution of revenues arising from the tax; to impose duties on manufacturers, bottlers, distributors and users of bottled soft drinks and syrup; and to prescribe penalties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Board of Revenue, or other governing body of Marion County is hereby authorized and directed to call an election for the purpose of determining whether or not there shall be imposed a county privilege or a county excise tax of two cents (2c) per bottle on bottled soft drinks and two cents (2c) per ounce on syrups, as hereinafter defined, manufactured, bottled, distributed or used within the county, the proceeds to be used for the county general fund and school purposes and the tax to be known as the Marion County Emergency School Tax.

Section 2. The election hereby required shall be held on a date not later than the first Tuesday after the expiration of three months following final adjournment of the 1955 regular session of the Legislature, such date to be fixed by the county governing body. Due notice of the election shall be given by the county governing body at least thirty days prior to the date the election is to be held; and the election shall be held and conducted under the rules and regulations governing the holding of general elections, and the officers holding the same shall receive the same compensation. The ballot to be used at the election shall have printed thereon the following: "Shall county privilege or excise taxes be levied for the use of the county general fund and for school purposes in Marion County as authorized by Act No. _____, H. B. _____, approved _____, 1955? Yes () No ()." The election shall be by the qualified electors of the county; and should a majority of those participating in said election vote in favor of the imposition of the taxes herein provided for, the governing body of the county may impose such taxes, and prescribe rules and regulations for the enforcement thereof.

Section 3. The following words, terms and phrases, when used in this act shall have the meanings ascribed to them in this section, unless a different meaning is clearly indicated:

"Bottled Soft Drinks." Bottled soft drinks, as referred to in this act shall include any or all non-alcoholic beverages, whether carbonated or not, such as soda water, ginger ale, coca cola, lime cola, pepsi cola, Dr. Pepper, fruit juice when any plain or carbonated water, flavoring or syrup is added, milk drinks when any flavoring or syrup is added, carbonated water, orangeade, lemonade, root beer, or any and all preparations commonly referred to as soft drinks of whatsoever kind, which are closed and sealed in glass, metal, paper, or any other type of container or bottle, and are further described to include any and all beverages commonly referred to as "soft drinks," which are manufactured, with or without the use of any syrup. The term "Bottled Soft Drinks" shall not include natural undiluted fruit juice, vegetable juice, or fluid milk (not powdered or reconstituted) to which flavoring alone is added, constituting a product containing not less than two and one-half (2½) per centum butterfat when bottled, closed or sealed.

"Syrup or Syrups." Syrup or syrups, as referred to in this act shall be defined, as being the compound mixture or basic ingredient practically and commercially usable in making, mixing or compounding bottled soft drinks or non-bottled soft drinks by the mixing with same

of carbonated or plain water, ice, fruit, milk or any other product, among such syrups being such products as coca cola syrup, chero-cola syrup, lemon syrup, vanilla syrup, chocolate syrup, cherry smash syrup, rock candy syrup, Dr. Pepper syrup, and all other syrups prepared, manufactured, and practically and commercially usable for the purpose of mixing non-bottled soft drinks, or for preparing or manufacturing bottled soft drinks.

"Manufacturer." A person engaged in producing, preparing, manufacturing or bottling syrup for use, sale, delivery or consumption.

"Bottler." A person engaged in manufacturing, bottling, preparing for market, or segregating in sealed containers any soft drink.

"Distributor." Any person engaged in the purchase for resale of syrups or bottled soft drinks in original containers or bottles as prepared for market.

"Stamps." The impression, device, stamp, label or seal, manufactured or printed, as prescribed by the department, by use of which the tax imposed or assessed hereunder, is paid.

"Crown." The crown or crowns by the use of which the tax imposed or assessed hereunder is paid.

"Original Container." Bottle, cask, keg, receptical, can, carton or other container that has been securely capped, sealed, crowned, or corked by the manufacturer or bottler.

"Board." The Board of Revenue or other governing body of Marion County of Alabama.

"Sale." Any transfer for consideration, exchange, barter, gift, offer for sale and distribution in any manner or by any means whatsoever.

Section 4. Should a majority of the voters participating in the election vote for imposing the county privilege or excise tax, the board may impose an excise tax of not exceeding two cents (2c) per bottle, containing twelve fluid ounces or less, on every person engaged in the business of manufacturing, bottling, distributing, or using bottled soft drinks and two cents (2c) per ounce on all persons engaged in manufacturing, bottling, distributing, or using syrups, and require every manufacturer, bottler, distributor, or user of such bottled soft drinks or syrups to procure and affix stamps or crowns to each bottle or other container of bottled soft drinks or syrups to evidence the payment of the excise tax herein authorized upon the manufacturing, bottling, distributing, or using of such bottled soft drinks and syrups. Provided, however, that if the excise tax imposed by this act upon the sale or use of bottled soft drinks or syrups shall have been paid by the manufacturer, bottler or distributor, it shall be sufficient, the intention being that this tax shall be paid but once. However, any person paying the tax may add the amount of the tax to the price for which he sells the drinks or syrup, it being the intent hereof that the manufacturer bottler or distributor shall procure and affix the stamps or crowns, but that the tax shall ultimately be paid by the consumer. The county tax herein authorized shall be in addition to any and all other taxes imposed by the state of Alabama or any other governmental agency or subdivision of the State on bottled soft drinks and syrups or on the business of manufacturing, bottling, distributing or using bottled soft drinks or syrups in Marion County. Provided, further, that every manufacturer, bottler or distributor of bottled soft drinks or syrups shall be exempt from the tax herein imposed on all bottled soft drinks or syrups manufactured, bottled or distributed in the county for shipment to and sale or use at points outside Marion County.

Section 5. If the tax is imposed the board shall: Prescribe that stamps or crowns bearing the words, "Marion County Emergency School Tax," must be affixed to original containers of bottled soft drinks and syrups used or sold in the county; shall prescribe rules and regulations governing the issuance and use of such stamps or crowns; shall prescribe rules and regulations requiring reports of manufacturers, bottlers, storers, distributors, vendors and users of such bottled soft drinks; shall provide the necessary officers and employees to enforce the collection of the tax and the rules and regulations prescribed therefor; shall prescribe regulations under which the exemption, prescribed by Section 4 hereof for bottled soft drinks and syrup shipped for sale or use outside the county, may be claimed.

Section 6. The board is charged with the duty of enforcing the provisions of this act and its own rules and regulations promulgated pursuant to this act. The board may employ such clerical assistants and inspectors and fix their compensation, as may be needed to enforce the provisions of this act and collect the tax hereby authorized. The compensation of such employees and the other expenses necessary and incident to collecting the tax hereby authorized and enforcing this act shall be paid by Marion County.

Section 7. After a tax has been levied pursuant to this act no person shall engage in Marion County in the business of manufacturing, bottling, distributing, or using bottled soft drinks or syrups without complying with the rules prescribed by the board pursuant to this act and paying any and all taxes for which he is liable under this act. Every manufacturer, bottler, distributor or user of bottled soft drinks and syrup engaged in business in Marion County shall keep at a certain place or office in the county such books, records, documents and papers as will clearly show the number of bottled soft drinks and the size of such bottles and the quantity of syrup manufactured, bottled, distributed or used in the county, and such books, records and documents shall be open at all reasonable times to inspection by the board, any members thereof and any officer or employee charged with the duty of collecting and enforcing the tax hereby authorized. Any person who violates this act or any rules or regulations of the board promulgated pursuant to this act, shall upon conviction thereof, be fined not more than five hundred dollars.

Section 8. Any manufacturer, bottler distributor or user of bottled soft drinks or syrup who fails to comply with any rule or regulation of the board promulgated pursuant to this act may be restrained by proper legal proceedings from manufacturing, bottling, distributing or using bottled soft drinks or syrup which are taxable hereunder, until such person shall have complied with such rules or regulations. Such proceedings shall be instituted in the name of the county by counsel appointed by the governing body.

Section 9. The proceeds of the county excise tax authorized in this act when collected by the clerk of the board, shall be paid into the county treasury, and revenues arising therefrom shall be used exclusively as follows: Twenty percent (20%) for the county general fund and eighty percent (80%) for school purposes.

Section 10. The provisions of this Act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. All laws or parts of laws which conflict with this Act are repealed.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

4t 6-2

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert E. Bonham, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 2nd, June 9th, June 16th, and June 23rd, all in the year 1955.

ROBERT E. BONHAM.

Sworn to and subscribed before me July 5, 1955.

IDELLA MOORE,
Notary Public,
Marion County, Alabama.

By Messrs. Murphy, Simon and Tyson (with notice and proof):

H. 634. To provide for and require the Tax Collector of Mobile County to pay into the County Treasury all taxes collected by him for Mobile County or on account of salary expenses, together with all fees, commissions, interest and penalties charged and/or collected by him by reason of any official act or for the performance of any service connected directly or indirectly with his said office, without any retention, withholding or deduction therefrom of any sum or sums for the payment of salaries of the Tax Collector and Tax Assessor of Mobile County, or for payment of the salaries of any employees or assistants of such Tax Collector and Tax Assessor; to provide how all such salaries shall hereafter be paid, when this act shall take effect and to repeal those laws or parts of laws in conflict herewith.

Local Legislation No. 1.

Notice and Proof H. 634:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for and require the Tax Collector of Mobile County to pay into the County Treasury all taxes collected by him for Mobile County or on account of salary expenses, together with all fees, commissions, interest and penalties charged and/or collected by him by reason of any official act or for the performance of any service connected directly or indirectly with his said office, without any retention, withholding or deduction therefrom of any sum or sums for the payment of

salaries of the Tax Collector and Tax Assessor of Mobile County, or for payment of the salaries of any employees or assistants of such Tax Collector and Tax Assessor; to provide how all such salaries shall hereafter be paid, when this act shall take effect and to repeal those laws or parts of laws in conflict herewith.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Tax Collector of Mobile County shall hereafter pay into the County Treasury of Mobile County all taxes collected by him for Mobile County together with all fees, commissions, interest and penalties charged or authorized by law and collected by him by reason of any official act or for the performance of any service connected directly or indirectly with his said office, including deductions made by him from State, and School taxes on account of salary expenses. Such payments into the Treasury of Mobile County shall be accomplished by said Tax Collector in the manner and at the times as now provided by law, and without any withholding by him therefrom of any sum or sums whatever for payment of the salaries of the Tax Collector and Tax Assessor of Mobile County or the salaries of any of the employees or assistants of such Tax Collector and Tax Assessor.

Section 2. The salaries of the Tax Collector and Tax Assessor of Mobile County, as well as the salaries of their office employees and assistants, shall hereafter be payable solely from the Treasury of Mobile County and only on warrants on such Treasury drawn and signed by the Chairman of the Board of Revenue and Road Commissioners of Mobile County.

Section 3. All laws, and parts of laws, and particularly those provisions of Act No. 241 (H. 401-Staples) and of Act No. 242 (H. 473-Taylor) of the Legislature of Alabama, approved August 15, 1935 (Local Acts of Alabama of 1935, pp 139-143) in conflict herewith, are hereby repealed.

Section 4. This act shall become effective on and after October 1, 1955.

Approved:

M. THOMAS MURPHY

OTTO E. SIMON

JOHN M. TYSON

GARET VAN ANTWERP, 3rd

Register, 5-26, 6-2, 6-9, 6-16

W. M. Curran being sworn, says that he is auditor of The Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and that the attached notice appeared in the issue of The Mobile Register May 26, June 2, 9, 16, 1955.

W. M. CURRAN.

Sworn to and subscribed before me this 28th day of June, 1955.

ALVIN A. JOHNSON,
Notary Public.

By Mr. Windle:

H. 635. To provide for the registration in this State of the birth of certain children born outside the State of Alabama.

Health.

By Messrs. Cornett and Brassell:

H. 636. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for public school purposes in Russell County; and authorizing the county and city

boards of education, upon the levy of such special tax, to issue tax anticipation bonds, and to pledge the proceeds of the tax to the payment of the interest on and principal of such bonds.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Harrison:

H. 637. To amend Section 38 of Title 11 of the Code of Alabama (1940) which prescribes fees to which justices of the peace are entitled.

Judiciary.

By Messrs. Adams and Vacca:

H. 638. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Local Government.

By Messrs. Adams and Vacca:

H. 639. To validate and declare legal acts and proceedings heretofore done or taken to incorporate gas districts under Act No. 762 of the General Acts of 1951 of Alabama, approved September 11, 1951, entitled "An Act to provide for and authorize the incorporation of gas districts, as public corporations of the State of Alabama, for the purpose of acquiring, constructing, owning, operating and financing gas transmission systems and gas distribution systems, or any one or more of such systems, for the use and benefit of those municipalities which join in and approve the incorporation of such districts; to provide for the approval, execution, filing, recording and amendment of the certificate of incorporation of such districts and the dissolution thereof; to grant powers to such districts including the power of eminent domain, and the means of exercising such powers; to provide for a board of directors and officers to exercise the powers and direct the affairs of such districts; to authorize such districts to issue and sell bonds payable solely from the revenues of its gas system or systems; to provide for the execution and delivery by such districts of mortgages, deeds of trust and other instruments of security for the benefit of the holders of such bonds; to provide for the remedies and rights available to the holders of the bonds; to provide that the property and income of such districts shall be tax exempt; to provide that the property and income of such districts shall be tax exempt; to provide that the bonds of such districts and the interest thereon shall be tax exempt; to provide that deeds, mortgages, trust indentures and other instruments of, by, or to such districts shall be tax exempt; to provide for the use and utilization and distribution of the revenues of the gas systems of such districts; to exempt such districts from the jurisdiction and control of the Public Service Commission and all other regulatory bodies and agencies of the State; to regulate the use of the proceeds of sale of any such bonds; to prohibit the duplication of existing privately owned gas systems and to provide for the acquisition thereof by such districts; to provide for the use of the public roads by such districts; and to make provisions with respect to the acquisition, construction, maintenance, operation and financing of a gas system or systems by such districts, as a public corporation of the State of Alabama," notwithstanding irregularities in such acts or proceedings.

Local Government

By Messrs. Adams and Vacca:

H. 640. To amend Section 520 of Title 37 of the Code of Alabama

of 1940 to provide that the failure to fix and establish the grade of any street, avenue, alley or sidewalk about to be improved or the grade of the curb on each side thereof, shall not affect the validity of any contract, assessment, bond, warrant, note or other obligation of the municipality executed, made or issued or to be executed, made or issued in connection with such improvements.

Local Government

By Messrs. Adams and Vacca:

H. 641. To amend Section 4 of Act No. 859, adopted by the 1953 Regular Session of the Legislature, entitled "An Act to provide for the validation, prior to their issuance, of bonds, warrants, certificates of indebtedness and notes of certain public corporations and public boards, and to prescribe the procedure in the Circuit Courts and in the Supreme Court with respect to such validation," approved September 19, 1953, by providing that the Supreme Court shall render its decision on any appeal from the decree of the Circuit Court within thirty days after the time for filing briefs in the Supreme Court has expired, or, if oral argument is requested, within thirty days after the date of such argument.

Local Government

By Messrs. Adams and Vacca:

H. 642. To amend Section 173 of Title 7 of the Code of Alabama of 1940 by providing that the Supreme Court shall render its decision on an appeal from the decree of the Circuit Court within thirty days after the time for filing briefs in the Supreme Court has expired, or, if oral argument is requested, within thirty days after the date of such argument.

Local Government

By Messrs. Adams and Vacca:

H. 643. To provide that every public corporation organized under the provisions of Act No. 175, adopted at the 1951 Regular Session of the Legislature and approved June 29, 1951, entitled "An Act to provide for and authorize for any municipality in the State the incorporation of a Board, as a public corporation, for the purpose of owning, operating and financing a waterworks plant and system, a sanitary sewer system, a gas plant and system and an electric plant and system, or any one or more of such plants or systems, within and without the municipality authorizing the incorporation of such board and in any other municipality; to provide for the powers, authorities and duties of such Board; to authorize a waterworks plant and system, a sanitary sewer system, a gas plant and system and an electric plant and system, or any one or more thereof, and all useful appurtenances, properties and franchises incident thereto; to authorize the amendment of the certificate of incorporation of such Boards and to authorize the amendment of the certificate of incorporation of any like board incorporated under the provisions of the Alabama Code of 1940, Title 37, Sections 394 to 402, or as amended, so as to bring such board within the provisions of this Act; to authorize each such Board to borrow money and issue revenue bonds, payable solely from the revenues derived from the operation of such plant or plants or system or systems, without regard to the system or systems with respect to which the money may be borrowed and the bonds issued; to authorize such Board to pledge all or any part of its revenue and income to the payment of such bonds; to regulate the issuance, sale, and refunding of such bonds and other matters in connection therewith; to provide for the use of the revenues of such system or systems; to provide for the use of the proceeds of such bonds; to provide that the property, income, bonds and interest thereon, of such Boards and conveyances, mortgages, and deeds of trust by and to such Boards shall be exempt from all taxation; to confer on such Boards the right of

eminent domain; to provide for consolidating two or more systems owned by any such Board; to provide for the vesting of title of a plant and system in the municipality where they are located upon the payment in full of the bonds payable from the revenues of such system; to provide for the application and effect of Alabama Code of 1940, Title 37, Section 392 to 402, as amended, Title 48, Section 342 to 349 as amended, and Act No. 154, of the General Acts of 1947," or as the provisions of said Act may at any time be amended, and every public corporation the Certificate of Incorporation of which is amended under said Act as the provisions thereof may at any time be amended, in addition to the powers and authorities otherwise vested in such public corporation, is authorized to transfer and convey any system or systems for the operation of which the corporation was organized or its certificate of incorporation amended, to the municipality which authorized the incorporation of the corporation or to any other public corporation authorized by such municipality to be incorporated under any of the aforesaid provisions of law, provided that a resolution authorizing such transfer and conveyance shall have theretofore been adopted by the board of directors or other governing body of such transferor public corporation, and provided further that the transferee municipality or public corporation shall assume and agree to pay, as the same become due and payable, the principal of and interest on any obligations of such transferor public corporation that are payable from or secured by the revenues from the system or systems so transferred, or shall pay to such transferor public corporation, at the time of the transfer, an amount of money which the board of directors or other governing body of such transferor public corporation shall determine to be sufficient to provide funds to retire any such obligations.

Local Government

By Messrs. Adams and Vacca:

H. 644. To amend Section 51 of Title 18 of the Code of Alabama of 1940 to provide that, notwithstanding anything contained in said Section 51 or any other provision of law, the board of trustees of an electric cooperative, without authorization by the members thereof, shall have full power and authority to authorize the sale, lease or other disposal of any and all of the property, assets, rights, privileges, licenses, franchises and permits of the cooperative, wherever situated, to any county, municipality, public corporation organized under the provisions of Act No. 175, adopted by the 1951 Regular Session of the Legislature of Alabama, approved June 29, 1951, or a district electric corporation organized under the provisions of Act No. 158, adopted by the 1943 Regular Session of the Legislature of Alabama, approved June 15, 1943.

Local Government

By Messrs. Adams and Vacca:

H. 645. To amend Sections 312 and 325 of Title 37 of the Code of Alabama of 1940, as amended, to provide that any municipality may, if its governing body so elects, combine any waterworks system, sanitary sewer system and gas system, or any two or more of such systems, irrespective of whether any of said systems is then owned by the municipality or is proposed to be acquired by the municipality, and issue revenue bonds payable solely from the revenues derived from the operation of such combined and consolidated system for any purpose or purposes for which bonds may be issued under the provisions of Title 37, Chapter 6, Article 2, Subdivision 3, of the Code of Alabama of 1940, as amended, including the funding or refunding of any bonds, notes, warrants or other obligations or evidences of indebtedness payable from or secured by a pledge of the revenues of any system or systems so consolidated; without regard to the system or systems for the benefit of or with respect to which such bonds are issued; to provide that where

any borrower shall have issued any bonds under the provisions of Title 37, Chapter 6, Article 2, Subdivision 3, or any other bonds, notes, warrants or other obligations or evidences of indebtedness, including general obligation indebtedness payable from or secured by a pledge of the revenues of its waterworks system, sanitary sewer system and/or gas system, it may thereafter issue and negotiate new bonds under the provisions of Title 37, Chapter 6, Article 2, Subdivision 3, on such terms as the governing body shall deem advisable for the purpose of providing for the payment of any such outstanding bonds, notes, warrants or other obligations or evidences of indebtedness, including any premiums necessary to redeem or retire the same, and that such bonds shall have the same source of payment as any revenue bonds which shall have been thereby refunded or, if the governing body of the municipality shall so elect, may be made payable out of revenues derived from the operation of any waterworks system, sanitary sewer system or gas system then owned by such municipality or proposed to be acquired by it, or any two or more such systems, without regard to the system or systems for the benefit of or with respect to which such bonds are issued and to provide that bonds may be issued for any combination of purposes authorized under the provisions of Title 37, Chapter 6, Article 2, Subdivision 3, the Code of Alabama of 1940, as amended, and that a single issue of bonds may be authorized for funding or refunding purposes, for improvements, enlargements, extensions or repairs to any system or systems, or for acquiring any system or systems, or for any two or more such purposes.

Local Government

By Messrs. Adams and Vacca:

H. 646. To amend Title 37, Chapter 6, Article 2, Subdivision 4, as amended, of the Code of Alabama of 1940, relative to public improvement revenue bonds, by amending Section 341 of said Title 37 to provide that the term "undertaking" as used in said subdivision shall also include plants and systems for the gathering, collecting, or impounding of water and the distribution thereof for domestic or industrial use or both; plants or systems for the purchase, transportation and/or distribution of water for domestic or industrial use or both; sanitary sewer systems, including mains, laterals, sewage disposal plants or sewage treatment plants; plants and systems for the manufacture and distribution of gas; and systems for the purchase, transportation and/or distribution of manufactured or natural gas; provided, however, no city or town shall have, under the authority conferred by Title 37, Chapter 6, Article 2, Subdivision 4 of the Code of Alabama of 1940, as amended, the right to construct any such water plant or system, or any such gas plant or system, or portion thereof, if there is at the time of such proposed construction, a water system or a gas system or portion thereof then operated as a public utility within the corporate limits thereof by any private or public utility corporation, individual, partnership, or association and provided further, that no county shall have, under the authority conferred by Title 37, Chapter 6, Article 2, Subdivision 4, of the Code of Alabama of 1940, as amended, the right to construct any such water plant or system or gas plant or system or portion thereof in that portion of said county where there may then be located any such water plant or system or gas plant or system or portion thereof then being operated as a public utility by any private or public utility corporation, individual, partnership or association; and by amending Section 342 of said Title 37, as amended, to authorize any county, incorporated city or town in the state to issue bonds under the provisions of Title 37, Chapter 6, Article 2, Subdivision 4, for any one or more of the following purposes: to finance, in whole or in part, the cost of the acquisition, construction, reconstruction, improvement, betterment or extension of any undertaking, to fund, refund or refinance any revenue

bonds or warrants or any bonds, notes, warrants or other obligations or evidences of indebtedness, including general obligation indebtedness payable from or secured by a pledge of the revenues of any undertaking, and to pay all expenses, premiums and commissions which its governing body may deem necessary or desirable in connection with such financing, funding, refunding or refinancing, and to authorize any county, incorporated city or town in the State to pledge to the punctual payment of said bonds and interest thereon all or any part of the gross or net revenues of one or more undertakings or any part thereof then owned and/or proposed to be acquired, without regard to the undertaking for the benefit of or with respect to which such bonds are issued; and by amending Section 344 of said Title 37, as amended, to provide that where a borrower shall have outstanding any bonds issued under the provisions of said Subdivision 4 or any other bonds, notes, warrants or other obligations or evidences of indebtedness, including general obligation indebtedness payable from or secured by a pledge of the revenues of any undertaking, it may thereafter issue and negotiate any bonds under the provisions of said Title 37, Chapter 6, Article 2, Subdivision 4, on such terms as the governing body shall deem advisable for the purpose of providing for the payment of any such outstanding bonds, notes, warrants, or other obligations or evidences of indebtedness, including any premium necessary to redeem or retire the same, to provide that such bonds shall have the same source of payment as any revenue bonds or obligations which shall have been thereby refunded or, if the governing body shall so elect, may be made payable out of revenues derived from the operation of any undertaking then owned by such municipality or proposed to be acquired by it, or any two or more such undertakings, without regard to the undertaking for the benefit of or with respect to which such bonds are issued, and to provide that a single issue or series of bonds may be issued for funding, refunding or refinancing purposes as herein provided and, in addition, to finance the cost of acquiring, constructing, reconstructing, improving and/or extending any one or more undertakings as provided in Section 342 of Title 37 of the Alabama Code of 1940, as amended.

Local Government

By Messrs. Adams and Vacca:

H. 647. To amend Section 466 of Title 37 of the Alabama Code of 1940 to authorize any incorporated city or town in this state to pledge to the payment of the principal of and interest on any interest-bearing warrants, notes, or bills payable authorized to be issued under said Section 466, of any tax, license and/or revenues which such municipality may then be authorized to pledge to the payment of bonded or other indebtedness and, in connection therewith, to covenant and agree to levy, collect and/or apply such taxes, licenses and/or revenues to such purposes; and to provide that any unincorporated city or town in this state may, without an election, issue revenue securities in the form of interest bearing warrants, notes or bills payable maturing at such time or times as the governing body thereof may determine, not exceeding thirty years from the date of issue, for any one or more of the following purposes, to-wit, the acquisition of any water, sewer, gas or electric system or the extension, enlargement or improvement of any water, sewer, gas or electric system then owned by such municipality, or the funding or refunding of any bonds, notes, warrants or other obligations or evidences of indebtedness, including general obligation indebtedness, payable from or secured by a pledge of the revenues of any such system or systems, and may provide that such revenue certificates shall be payable from and shall be secured by a pledge of the revenues derived from the operation of any one or more such systems without regard to the system for the benefit of or with respect to which such securities are issued; provided, however, such revenue securities by

their terms shall not be made a charge on the general credit or tax revenues of the municipality and are made payable solely out of revenues derived from the operation of any one or more such systems as aforesaid.

Local Government

By Mr. Stokes:

H. 648. Proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Coffee County.

Local Legislation No. 1

The above bill was read a first time at length as required by the Constitution.

By Mr. Stokes:

H. 649. To amend Section 265, Title 13, Code of Alabama, 1940, relating to Special Court Reporters.

Judiciary

By Messrs. Kendall and Dawkins:

H. 650: To amend Section 4 of Title 45, Code of Alabama 1940.

Ways and Means

By Messrs. Kendall, Harrison, Locke (Choctaw), Lee (Barbour), Ramey, Dement, McLendon, Ward, Brown (Lee), Thomas, Brannan and Brassell:

H. 651. To amend Section 72 of Title 15, Code of Alabama, 1940, which provides for the expenses of bringing back an absconding felon on requisition for extradition.

Ways and Means

By Messrs. Nettles and Oakley (with notice and proof):

H. 652. To authorize and require the court of county commissioners, board of revenue, or like governing body of Wilcox County to pay the clerk hire of certain county officers out of the general fund in the county treasury.

Local Legislation No. 1

Notice and Proof H. 652:

NOTICE

**STATE OF ALABAMA
COUNTY OF WILCOX**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To authorize and require the court of county commissioners, board of revenue, or like governing body of Wilcox County to pay the clerk hire of certain county officers out of the general fund in the county treasury.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners, board of revenue, or like governing body of Wilcox County is hereby authorized, em-

powered, and directed to pay out of the general fund in the county treasury the sum of seventy-five dollars a month to each of the following county officers for clerk hire: the tax assessor, the tax collector, and the circuit clerk.

Section 2. This Act shall become effective on the first day of the month commencing after the date of its enactment.

June 9-16-23-30.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared Stanley D. Godbold, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wilcox Progressive Era, a newspaper of general circulation published in Camden, Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 9th, June 16th, June 23, and June 30th, all in the year 1955.

Stanley D. Godbold

Sworn to and subscribed before me 5th day of July, 1955.

Frances M. Godbold,
Notary Public, Wilcox Co., Ala.

By Mr. Nettles (with notice and proof):

H. 653. Relating to Wilcox County: To amend further Act No. 436, S. 397, approved September 13, 1939 (Local Acts of 1939, p. 261), an Act which provided further for the duties, power, authority, and compensation of the members of the Court of County Commissioners of Wilcox County.

Local Legislation No. 1

Notice and Proof H. 653:

NOTICE

STATE OF ALABAMA COUNTY OF WILCOX

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Wilcox County: To amend further Act No. 436, S. 397, approved September 13, 1939 (Local Acts of 1939, p. 261), an Act which provided further for the duties, power, authority, and compensation of the members of the Court of County Commissioners of Wilcox County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 8 of Act No. 436, S. 397, approved September 13, 1939 (Local Acts of 1939, p. 261), an Act which provided further for the duties, power, authority, and compensation of members of the Court of County Commissioners of Wilcox County, as amended by an Act

approved June 23, 1945 (Local Acts of 1945, p. 110), is amended further to read as follows:

"Section 8. COMPENSATION: The Judge of Probate as the chairman of said court shall receive as compensation for his services required under this Act the same salary, fees, and compensation now or hereafter allowed to probate judges for like services as chairman of the court of county commissioners under the general laws of the State of Alabama, and an additional sum of seventy-five dollars per month, payable out of the gasoline fund in the county treasury. Each of the associate members of the court shall receive a salary of two hundred dollars per month."

Section 2. This Act shall become effective on the first of the month commencing after the date of its enactment.

June 9-16-23-30

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared Stanley D. Godbold, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wilcox Progressive Era, a newspaper of general circulation published in Camden, Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 9th, June 16th, June 23, and June 30th, all in the year 1955.

Stanley D. Godbold

Sworn to and subscribed before me 5th day of July, 1955.

Frances M. Godbold,
Notary Public, Wilcox Co., Ala.

By Messrs. Law, Speaks, Franklin, Adams and Johnson (Tallapoosa)
(with notice and proof):

H. 654. Relating to Chilton, Coosa, Elmore and Tallapoosa Counties; to prohibit the taking of fish from the public waters of these counties with hoop and fyke nets, seines, gill nets, trammel nets, fish traps or any other kind of commercial fishing gear, except setlines, trotlines and snaglines, and except further as to Tallapoosa County, only, licensed baskets.

Local Legislation No. 1.

Notice and Proof H. 654:

A BILL TO BE ENTITLED AN ACT

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Chilton, Coosa, Elmore and Tallapoosa Counties; to prohibit the taking of fish with hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines, and snaglines, from the public waters in these counties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. It shall be unlawful for any person to use any hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines or snaglines, in taking or capturing fish from the public impounded waters and navigable streams in Chilton, Coosa, Elmore, or Tallapoosa counties, notwithstanding the fact that such person may be licensed by the Department of Conservation to use such gear in any other county. Any person violating this Act shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by Law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

-s- Francis W. Speaks
17-4tc

PROOF OF PUBLICATION**STATE OF ALABAMA
COUNTY OF CHILTON**

Personally appeared before the undersigned, a Notary Public in and for said county and state, R. M. Tucker, Publisher of the CHILTON COUNTY NEWS, a newspaper published at Clanton, County of Chilton, State of Alabama, who, being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in its issues of 28 day of April, 1955; 5 day of May, 1955; 12 day of May, 1955; 19 day of May, 1955.

R. M. Tucker, Publisher.

Subscribed and sworn to before me this 14th day of June, 1955.

Frances W. Speaks, Notary Public

LEGAL NOTICE**STATE OF ALABAMA
COUNTY OF ELMORE**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Chilton, Coosa, Elmore and Tallapoosa Counties; to prohibit the taking of fish with hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines, and snaglines, from the public waters in these counties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. It shall be unlawful for any person to use any hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines or snaglines, in taking

or capturing fish from the public impounded waters and navigable streams in Chilton, Coosa, Elmore, or Tallapoosa counties, notwithstanding the fact that such person may be licensed by the Department of Conservation to use such gear in any other county. Any person violating this Act shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by Law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CHARLES R. FRANKLIN,
Rep. Coosa County.

A28—M-5-12-19c

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Enterprise-Chronicle, a newspaper of general circulation published in Coosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 28, May 5, May 12, and May 19, all in the year 1955.

J. C. Henderson.

Sworn to and subscribed before me June 20, 1955.

T. C. Wolsoncroft,
Notary Public.

My Commission Expires June 14, 1959.

STATE OF ALABAMA
COUNTY OF ELMORE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(2993:4/21/55)

A BILL TO BE ENTITLED AN ACT

Relating to Chilton, Coosa, Elmore, and Tallapoosa Counties; to prohibit the taking of fish with hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines, and snaglines, from the public waters in these counties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. It shall be unlawful for any person to use any hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines or snaglines, in taking or capturing fish from the public impounded waters and navigable

streams in Chilton, Coosa, Elmore, or Tallapoosa counties, notwithstanding the fact that such person may be licensed by the Department of Conservation to use such gear in any other county. Any person violating this Act shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by Law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

12may4tch

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. H. Golson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was the publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 12 May, 19 May, 26 May, and 2 June, all in the year 1955.

W. H. Golson.

Sworn to and subscribed before me 6 June, 1955.

Elaine Holley,
Notary Public.

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Chilton, Coosa, Elmore, Shelby and Tallapoosa Counties; to prohibit the taking of fish with hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines, snaglines, or licensed baskets, from the public waters in these counties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. It shall be unlawful for any person to use any hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines, snaglines, or baskets licensed under the provisions of Act — passed at the 1955 Regular Session of the Legislature, in taking or capturing fish from the public impounded waters and navigable streams in Chilton, Coosa, Elmore, Shelby, or Tallapoosa Counties, notwithstanding the fact that such person may be li-

censed by the Department of Conservation to use such gear in any other county. Any person violating this Act shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

M20-27-J 3-10-c.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY YOF TALLAPOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 20, May 27, June 3, and June 10, all in the year 1955.

J. C. HENDERSON.

Sworn to and subscribed before me June 13, 1955.

T. C. Wolsoncroft,
Notary Public.

My Commission Expires May 9, 1959.

By Messrs. Gilchrist, Lee (Barbour), Solomon, Kendall, Thomas, Goodwyn and Hall:

H. 655. To amend Section 13 of Act No. 703, H. 544, approved September 5, 1951 (Acts of the 1951 Regular Session, Vol. II, p. 1211), the Act which created the State Department of Public Welfare and prescribed its powers and duties.

Public Welfare.

By Messrs. Gist, Davis, Dement, Burkhalter, Gregory, Money, Oden, Fite, Brewer, Brannan, Summerlin, Kendall, Harrison and Speaks:

H. 656. To authorize the Governor, the Director of Conservation and the Director of Finance to become a public corporation for the purposes of improving, developing, enlarging and maintaining the State Park System of Alabama, for the construction of additional revenue producing facilities thereon; and for the purpose of acquiring land for the expansion and development of the State Park System of Alabama; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the issuance of not exceeding \$5,000,000 principal amount of bonds secured by a pledge of certain revenue producing facilities of the State Park System; proceeds from the sale of timber from certain state-owned lands; from the revenue derived from the royalty of certain sand and gravel leases from State-owned property; from the revenue derived from the leasing of the bottoms of navigable waters for mineral exploration and of the royalties derived therefrom; from the revenue

derived from the sale or lease of State-owned property known as Sand Island or McDuffy Island, and from the royalty derived from the sale of dead oyster shells which is in excess of the amount needed to defray the capital outlay expenses of the Sea Foods Division of the Department of Conservation; to provide for dissolution of said corporation and conveyance of its properties to the Department of Conservation of the State of Alabama upon payment of said securities; to repeal all laws in conflict herewith and for other purposes.

Conservation.

BILLS ON THIRD READING

S. 157. Proposing an amendment to the Constitution of Alabama relating to the compensation of the register of the circuit court of Clarke County.

Was read a third time at length and passed.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Johnson (Elmore)	Nettles
Albea	Faulk	Kelly	Olen
Ashworth	Ferrell	Killough	Oakley
Bassett	Gilchrist	Kirkham	Oden
Boyd	Gist	Lee (Barbour)	Payne
Bradford	Goodwyn	Lee (Lawrence)	Reynolds
Brannan	Gregory	Locke (Choctaw)	Roberts
Brassell	Grouby	McClendon	Shumate
Brewer	Hain	McKay	Simon
Broadfoot	Hall	McLendon	Speaks
Brooks	Haltom	McNider	Steagall
Brown (Lamar)	Hanby	Martin	Stembridge
Burkhalter	Hardy	Mathews	Summerlin
Cox	Hare	Mathison	Taylor
Crook	Harvey	Meeks	Thomas
Dawkins	Hodges	Molette	Tyson
Dement	Holliman	Money	Ward
DeSear	Hunt	Murphy	Windle
Edwards (Escambia)	Jenkins		

—74

And the bill:

H. 589. To alter, rearrange, extend and establish the boundary lines and corporate limits of the Town of Monroeville, Monroe County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Brannan	Brown (Lamar)	Dement
Albea	Branyon	Burkhalter	DeSear
Ashworth	Brassell	Cornett	Dickson
Bassett	Brewer	Cox	Edwards (Escambia)
Boyd	Broadfoot	Crook	Edwards (Jefferson)
Bradford	Brooks	Dawkins	Faulk

Ferrell	Holliman	McNider	Reynolds
Gilchrist	Huddleston	Martin	Roberts
Gist	Hunt	Mathews	Shumate
Goodwyn	Jenkins	Mathison	Simon
Gregory	Johnson (Elmore)	Meeks	Speaks
Grouby	Kelly	Molette	Steagall
Hain	Kendall	Money	Stembridge
Hall	Killough	Murphy	Summerlin
Haltom	Kirkham	Nettles	Taylor
Hanby	Lee (Barbour)	Nice	Thomas
Hardy	Lee (Lawrence)	Nolen	Tyson
Hare	Locke (Choctaw)	Oakley	Vacca
Harrison	McClendon	Oden	Ward
Harvey	McKay	Payne	Windle
Hodges	McLendon	Pirkle	

—83

And the bill:

H. 588. Relating to Tallapoosa County; fixing the compensation of the deputies to the sheriff of Tallapoosa County; and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	DeSear	Jenkins	Nolen
Adams	Dickson	Johnson (Tallapoosa)	Oakley
Albea	Edwards (Escambia)	Kendall	Oden
Ashworth	Edwards (Jefferson)	Killough	Payne
Bassett	Faulk	Kirkham	Perry
Boyd	Ferrell	Lackey	Pirkle
Bradford	Gilchrist	Law	Pruitt
Brannan	Gist	Lee (Barbour)	Reynolds
Branyon	Goodwyn	Lee (Lawrence)	Richardson
Brassell	Gregory	Locke (Choctaw)	Roberts
Brewer	Grouby	McClendon	Simon
Broadfoot	Hain	McKay	Solomon
Brooks	Hall	McLendon	Speaks
Brown (Lamar)	Haltom	McNider	Steagall
Burkhalter	Hanby	Martin	Stembridge
Callahan	Hardy	Mathison	Summerlin
Cornett	Harrison	Meeks	Taylor
Cox	Harvey	Molette	Thomas
Crook	Hodges	Money	Tyson
Davis	Holliman	Murphy	Vacca
Dawkins	Huddleston	Nettles	Windle
Dement	Hunt	Nice	

—87

And the bill:

H. 541. To provide for the relief of Margaret Webb, out of the general fund of Jefferson County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Albea	Ashworth	Bassett
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Boyd	Gilchrist	Killough	Oakley
Bradford	Gist	Kirkham	Oden
Brannan	Goodwyn	Lackey	Payne
Branyon	Gregory	Law	Perry
Brassell	Grouby	Lee (Barbour)	Pirkle
Brewer	Hain	Lee (Lawrence)	Pruitt
Broadfoot	Hall	Locke (Choctaw)	Reynolds
Brooks	Haltom	McClendon	Richardson
Brown (Lamar)	Hanby	McKay	Roberts
Burkhalter	Hardy	McLendon	Shumate
Cornett	Hare	McNider	Simon
Cox	Harrison	Martin	Speaks
Crook	Harvey	Mathews	Steagall
Davis	Hodges	Mathison	Stembridge
Dawkins	Holliman	Meeks	Summerlin
Dement	Huddleston	Molette	Taylor
DeSear	Hunt	Money	Thomas
Dickson	Jenkins	Murphy	Tyson
Edwards (Escambia)	Johnson (Elmore)	Nettles	Vacca
Edwards (Jefferson)	Kaul	Nice	Ward
Faulk	Kelly	Nolen	Windle
Ferrell	Kendall		

—90

And the bill:

H. 540. Relating to that portion of Powell Avenue in the City of Birmingham lying between the west line of Thirty-second Street if projected across said Powell Avenue and the east line of Twenty-eighth Street if projected across said Powell Avenue.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	DeSear	Jenkins	Nice
Adams	Dickson	Kaul	Nolen
Albea	Edwards (Escambia)	Kelly	Oakley
Ashworth	Edwards (Jefferson)	Kendall	Oden
Bassett	Faulk	Killough	Payne
Boyd	Ferrell	Kirkham	Perry
Bradford	Gilchrist	Lackey	Pirkle
Brannan	Gist	Law	Pruitt
Branyon	Goodwyn	Lee (Barbour)	Reynolds
Brassell	Gregory	Lee (Lawrence)	Richardson
Brewer	Grouby	Locke (Choctaw)	Roberts
Broadfoot	Hain	McClendon	Simon
Brooks	Hall	McKay	Solomon
Brown (Lamar)	Haltom	McLendon	Speaks
Burkhalter	Hanby	McNider	Steagall
Callahan	Hardy	Martin	Stembridge
Cornett	Harrison	Mathison	Summerlin
Cox	Harvey	Meeks	Taylor
Crook	Hodges	Molette	Thomas
Davis	Holliman	Money	Tyson
Dawkins	Huddleston	Murphy	Vacca
Dement	Hunt	Nettles	Windle

—88

MOTION ADOPTED

The motion of Mr. Martin to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 424, was adopted.

Yeas 72; Nays 18.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Jenkins	Murphy
Adams	Faulk	Johnson (Tallapoosa)	Nettles
Ashworth	Ferrell	Kelly	Nice
Bassett	Gist	Kendall	Nolen
Bradford	Goodwyn	Killough	Oden
Branyon	Gregory	Lackey	Payne
Brassell	Grouby	Lee (Lawrence)	Pruitt
Broadfoot	Hain	Locke (Choctaw)	Ramey
Brooks	Hall	McClendon	Reynolds
Brown (Lee)	Haltom	McKay	Richardson
Burkhalter	Hardy	McLendon	Roberts
Callahan	Hare	McNider	Shumate
Cox	Harrison	Martin	Simon
Crook	Harvey	Mathews	Solomon
Davis	Hodges	Mathison	Stembridge
Dawkins	Holliman	Meeks	Stokes
deGraffenried	Huddleston	Molette	Tyson
Dement	Hunt	Money	Vacca

—72

Nays:

Messrs.	DeSear	Law	Pirkle
Albea	Edwards (Escambia)	Lee (Barbour)	Speaks
Boyd	Hanby	Love	Summerlin
Brewer	Kaul	Oakley	Thomas
Cornett	Kirkham	Perry	

—18

And the bill:

H. 424. To amend Section 1 of Act 515, approved, July 9, 1945 as amended, which relates to the Employees' Retirement System of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 3.

Yeas:

Mr. Speaker	Brooks	Dickson	Haltom
Adams	Brown (Lamar)	Edwards (Escambia)	Hanby
Albea	Burkhalter	Edwards (Jefferson)	Hare
Ashworth	Callahan	Faulk	Hardy
Boyd	Cornett	Ferrell	Harrison
Bradford	Cox	Gist	Harvey
Brannan	Crook	Goodwyn	Hodges
Branyon	Davis	Gregory	Holliman
Brassell	Dawkins	Grouby	Hunt
Brewer	deGraffenried	Hain	Jenkins
Broadfoot	Dement	Hall	Johnson (Elmore)

Johnson (Tallapoosa)	McClendon	Nice	Solomon
Kaul	McKay	Nolen	Speaks
Kelly	McLendon	Oakley	Steagall
Kendall	McNider	Oden	Stembridge
Killough	Martin	Payne	Stokes
Kirkham	Mathews	Perry	Taylor
Lackey	Mathison	Pruitt	Thomas
Law	Meeks	Ramey	Tyson
Lee (Barbour)	Molette	Reynolds	Vacca
Lee (Lawrence)	Money	Richardson	Ward
Locke (Choctaw)	Murphy	Shumate	Windle
Love	Nettles	Simon	

—91

Nays: Messrs. DeSear, Pirkle and Summerlin.

—3

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By the Rules Committee:

S. J. R. 41. BE IT RESOLVED by the Senate, the House concurring, that the Assistant Secretary, Second Assistant Secretary, Reading Clerk, Chief Clerk, and Enrolling and Engrossing Clerk of the Senate, and the Assistant Clerk, Second Assistant Clerk, Reading Clerk, Chief Clerk, and Enrolling and Engrossing Clerk of the House be allowed Four Dollars (\$4.00) per day in addition to that now allowed for such positions.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Dawkins the rules were suspended in order to bring up for immediate consideration the S. J. R. 41 set out in the above and foregoing Message from the Senate.

Mr. Dawkins offered the following substitute for S. J. R. 41.

SUBSTITUTE TO S. J. R. 41

BE IT RESOLVED by the Senate, the House concurring, that the Secretary of the Senate, Assistant Secretary, Second Assistant Secretary, Reading Clerk, Chief Clerk, and Enrolling and Engrossing Clerk of the Senate, and the Clerk, the Assistant Clerk, Second Assistant Clerk, Reading Clerk, Chief Clerk and Enrolling and Engrossing Clerk of the House be allowed Four Dollars (\$4.00) per day in addition to that now allowed for such positions.

And the substitute for S. J. R. 41 was adopted.

And said S. J. R. 41, as amended, was adopted.

BILLS ON THIRD READING RESUMED MOTION ADOPTED

The motion of Mr. Martin to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 486, was adopted.

And the bill:

H. 486. To amend Sections 3, 4 and 5 of Act No. 515, H. 93, approved July 9, 1945 (General Acts 1945 p. 734) as amended, which relates to the Employees' Retirement System of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 1.

Yeas:

Mr. Speaker	Edwards (Escambia)	Kaul	Nice
Adams	Edwards (Jefferson)	Kelly	Nolen
Albea	Faulk	Kendall	Oakley
Ashworth	Ferrell	Killough	Oden
Bassett	Gilchrist	Kirkham	Payne
Boyd	Gist	Lackey	Perry
Bradford	Goodwyn	Law	Pirkle
Brannan	Gregory	Lee (Barbour)	Pruitt
Branyon	Grouby	Lee (Lawrence)	Ramey
Brassell	Hain	Locke (Choctaw)	Reynolds
Brewer	Hall	Love	Richardson
Broadfoot	Haltom	McClendon	Shumate
Brooks	Hanby	McKay	Simon
Brown (Lamar)	Hardy	McLendon	Solomon
Burkhalter	Hare	McNider	Speaks
Callahan	Harrison	Martin	Steagall
Cornett	Harvey	Mathews	Stembridge
Cox	Hodges	Mathison	Stokes
Crook	Holliman	Meeks	Taylor
Davis	Hunt	Molette	Thomas
Dawkins	Jenkins	Money	Tyson
deGraffenried	Johnson (Elmore)	Murphy	Vacca
Dement	Johnson (Tallapoosa)	Nettles	Windle
Dickson			

—93

Nays: Mr. Summerlin.

—1

MOTION ADOPTED

The motion of Mr. Martin to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 295, was adopted.

And the bill:

H. 295 (with substitute). To amend Sections 42(b), 42 (c), 44 and 45 and to add Section 44(1), Title 36, Code of Alabama 1940, as amended, relating to lighting equipment on motor vehicles.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Transportation, said committee substitute being as follows:

SUBSTITUTE FOR H. B. 295

**A BILL
TO BE ENTITLED
AN ACT**

To amend Sections 42, 44 and 45 of Title 36, Code of Alabama

(1940), as amended, which relate to lighting equipment required on motor vehicles.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 42 of Title 36, Code of Alabama (1940), as amended, is amended further to read as follows:

"Section 42. (a) Visibility distance and mounted height of lamps. (1) Whenever requirement is hereinafter declared as to the distance from which certain lamps and devices shall render objects visible or within which such lamps or devices shall be visible, said provisions shall apply during the times stated in section 40 of this chapter in respect to a vehicle without load when upon a straight, level, unlighted highway under normal atmospheric conditions unless a different time or condition is expressly stated.

"(2) Whenever requirement is hereinafter declared as to the mounted height of lamps or devices it shall mean from the center of such lamp or device to the level ground upon which the vehicle stands when such vehicle is without a load.

"(b) Multiple-beam road lighting equipment. Except as herein-after provided, the headlamps or the auxiliary driving lamp or the auxiliary passing lamp or combination thereof on motor vehicles other than motorcycles or motor driven cycles shall be so arranged that the driver may select at will between distributions of light projected to different elevation and such lamps may, in addition, be so arranged that such selection can be made automatically, subject to the following limitations:

"(1) There shall be an uppermost distribution of light, or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least 350 feet ahead for all conditions of loading.

"(2) There shall be a lowermost distribution of light, or composite beam so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead; and on a straight level road under any condition of loading none of the high-intensity portion of the beam shall be directed to strike the eyes of an approaching driver.

"(3) Every new motor vehicle, other than a motorcycle or motor-driven cycle, registered hereafter in this State, which has multiple-beam road lighting equipment shall be equipped with a beam indicator, which shall be lighted whenever the uppermost distribution of light from the head lamps is in use, and shall not otherwise be lighted. Said indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped.

"(c) Use of multiple-beam road lighting equipment. (1) Whenever a motor vehicle is being operated on a roadway or shoulder adjacent thereto during the times specified in Section 40(a), the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations:

"(2) Whenever a driver of a vehicle approaches an oncoming vehicle within 500 feet, such driver shall use a distribution of light, or composite beam, so aimed that the glaring rays are not projected into the eyes of the oncoming driver. The lowermost distribution

of light or composite beam, specified in Section 42(b) (2) shall be deemed to avoid glare at all times, regardless of road contour and loading.

"(3) Whenever the driver of a vehicle follows another vehicle within 200 feet to the rear, except when engaged in the act of overtaking and passing, such driver shall use a distribution of light permissible under this chapter other than the uppermost distribution of light specified in paragraph (1) of Section 42(b).

"(d) Single-beam road-lighting equipment. Head lamps arranged to provide a single distribution of light not supplemented by auxiliary driving lamps shall be permitted on motor vehicles manufactured and sold one year hereafter in lieu of multiple-beam road-lighting equipment herein specified if the single distribution of light complies with the following requirements and limitations:

"(1) The head lamps shall be so aimed that when the vehicle is not loaded none of the high-intensity portion of the light shall, at a distance of twenty-five (25) feet ahead, project higher than a level of five (5) inches below the level of the center of the lamp from which it comes, and in no case higher than forty-two (42) inches above the level on which the vehicle stands at a distance of seventy-five (75) feet ahead.

"(2) The intensity shall be sufficient to reveal persons and vehicles at a distance of at least two hundred (200) feet.

"(e) Lighting equipment on motor driven cycles. (1) The head lamp or head lamps upon every motor driven cycle may be of the single-beam or multiple-beam type but in either event shall comply with the requirements and limitations as follows: a) Every said head lamp or head lamps on a motor driven cycle shall be of sufficient intensity to reveal a person or a vehicle at a distance of not less than one hundred (100) feet when the motor driven cycle is operated at any speed less than twenty-five (25) miles per hour; at a distance of not less than two hundred (200) feet when the motor driven cycle is operated at a speed of twenty-five (25) or more miles per hour but less than thirty-five (35) miles per hour; and at a distance of three hundred (300) feet when the motor driven cycle is operated at a speed of thirty-five (35) miles or more per hour. b) In the event the motor driven cycle is equipped with a multiple-beam head lamp or head lamps the upper beam shall meet the minimum requirements set forth above and shall not exceed the limitations set forth in subdivision (b) (2) of section 40 of this chapter. c) In the event the motor driven cycle is equipped with a single-beam lamp or lamps, said lamp or lamps shall be so aimed that when the vehicle is loaded none of the high-intensity portion of light, at a distance of twenty-five (25) feet ahead, shall project higher than the level of the center of the lamp from which it comes.

"(f) Alternate road-lighting equipment. Any motor vehicle may be operated under the conditions specified in subdivision (a) of section 40 when equipped with two lighted lamps upon the front thereof capable of revealing persons and objects seventy-five (75) feet ahead in lieu of lamps required in subdivision (b) or subdivision (d) of this section, provided, however, that at no time shall it be operated at a speed in excess of twenty (20) miles per hour.

"(g) Color of clearance lamps, side marker lamps, and reflectors. (1) Front clearance lamps and those marker lamps and reflectors mounted on the front or on the side near the front of a vehicle shall display or reflect an amber color.

"(2) Rear clearance lamps and those marker lamps and reflectors mounted on the rear or on the sides near the rear of a vehicle shall display or reflect a red color.

"(3) All lighting devices and reflectors mounted on the rear of any vehicle shall display or reflect a red color, except the stop light or other signal device, which may be red, amber, or yellow, and except that the light illuminating the license plate or the light emitted by a back-up lamp shall be white.

"(h) Mounting reflectors, clearance lamps, and side marker lamps. (1) Reflectors, when required by subdivision (d) of section 40 of this chapter shall be mounted at a height not less than twenty-four (24) inches and not higher than sixty (60) inches above the ground on which the vehicle stands, except that if the highest part of the permanent structure or the vehicle is less than twenty-four (24) inches the reflector at such point shall be mounted as high as that part of the permanent structure will permit.

"The rear reflector on a pole trailer may be mounted on each side of the bolster or load.

"Any required red reflector on the rear of a vehicle may be incorporated with the tail lamp, but such reflector shall meet all the other reflector requirements of this chapter.

"(2) Clearance lamps shall be mounted on the permanent structure of the vehicle in such a manner as to indicate its extreme width and as near the top thereof as practicable. Clearance lamps and side marker lamps may be mounted in combination provided illumination is given as required herein with reference to both.

"(i) Visibility of reflectors, clearance lamps and marker lamps. (1) Every reflector upon any vehicle referred to in subdivision (d) of section 40 of this chapter shall be of such size and characteristics and so maintained as to be readily visible at nighttime from all distances within five hundred (500) feet to fifty (50) feet from the vehicle when directly in front of lawful upper beams of head lamps. Reflectors required to be mounted on the sides of the vehicle shall reflect the required color of light to the sides, and those mounted on the rear shall reflect a red color to the rear.

"(2) Front and rear clearance lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required at a distance of five hundred (500) feet from the front and rear, respectively, of the vehicle.

"(3) Side marker lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required at a distance of five hundred (500) feet from the side of the vehicle on which mounted."

Section 2. Section 44 of Title 36, Code of Alabama (1940), is amended to read as follows:

"Section 44. (a) No person shall have for sale, or offer for sale for use upon or as a part of the equipment of a motor vehicle, trailer, or semitrailer, or use upon any such vehicle any headlamp, auxiliary, or fog lamp, rear lamp, signal lamp, or reflector, which reflector is required hereunder, or parts of any of the foregoing which tend to change the original design or performance, unless of a type which has been submitted to the director and approved by him. The foregoing provisions of this section shall not apply to equipment in actual use when this section is adopted or replacement parts therefor.

"(b) No person shall have for sale, sell, or offer for sale for use upon or as part of the equipment of a motor vehicle, trailer or semi-trailer any lamp or device mentioned in this section which has been approved by the director unless such lamp or device bears thereon the trade-mark or name under which it is approved so as to be legible when installed.

"(c) No person shall use upon any motor vehicle, trailer, or semi-trailer any lamps mentioned in this section unless said lamps are mounted, adjusted and aimed in accordance with instructions of the director.

"(d) The director is hereby authorized to approve or disapprove lighting devices and to issue and enforce regulations establishing standards and specifications for the approval of such lighting devices, their installation, adjustment and aiming, and adjustment when in use on motor vehicles. Such regulations shall correlate with and, so far as practicable conform to the then current standards and specifications of the Society of Automotive Engineers applicable to such equipment.

"(e) The director is hereby required to approve or disapprove any lighting device, of a type on which approval is specifically required in this chapter, within a reasonable time after such device has been submitted.

"(f) The director is further authorized to set up the procedure which shall be followed when any device is submitted for approval.

"(g) The director upon approving any such lamp or device shall issue to the applicant a certificate of approval together with any instructions determined by him.

"(h) The director shall publish lists of all lamps and devices by name and type which have been approved by him."

Section 3. Section 45 of Title 36, Code of Alabama (1940), is amended to read as follows:

"Section 45. When the director has reason to believe that an approved lighting device being sold commercially does not comply with the requirements of this chapter, he may, after giving 30 days' previous notice to the person holding the certificate of approval for such device in this State, conduct a hearing upon the question of compliance of the approved device. After such hearing, the director shall determine whether the approved lighting device meets the requirements of this chapter. If the device does not meet the requirements of this chapter he shall give notice to the person holding the certificate of approval for such device in this State.

"If at the expiration of 90 days after such notice the person holding the certificate of approval for such device has failed to satisfy the director that the approved device as thereafter to be sold meets the requirements of this chapter, the director shall suspend or revoke the approval issued therefor until or unless such device is re-submitted to and re-tested by an authorized testing agency and is found to meet the requirements of this chapter, and may require that all such devices sold since the notification following the hearing be replaced with devices that do comply with the requirements of this chapter. The director may at the time of the retest purchase in the open market and submit to the testing agency one or more sets of such approved devices, and if such device upon such retest fails to meet the requirements of this chapter, the director may refuse to renew the certificate of approval of such device."

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Kaul	Nolen
Adams	Edwards (Jefferson)	Kelly	Oakley
Albea	Faulk	Kendall	Oden
Ashworth	Ferrell	Kirkham	Payne
Bassett	Gilchrist	Lackey	Perry
Bradford	Gist	Law	Pirkle
Brannan	Goodwyn	Lee (Barbour)	Pruitt
Branyon	Hain	Lee (Lawrence)	Ramey
Brassell	Hall	Locke (Choctaw)	Reynolds
Brewer	Haltom	Love	Richardson
Broadfoot	Hanby	McClendon	Shumate
Brooks	Hardy	McKay	Simon
Brown (Lamar)	Hare	McLendon	Solomon
Brown (Lee)	Harrison	McNider	Speaks
Burkhalter	Harvey	Martin	Steagall
Callahan	Hodges	Mathison	Stokes
Cornett	Holliman	Meeks	Summerlin
Cox	Huddleston	Molette	Thomas
Crook	Hunt	Money	Tyson
Davis	Jenkins	Murphy	Vacca
Dawkins	Johnson (Elmore)	Nettles	Ward
Dement	Johnson (Tallapoosa)	Nice	Windle
Dickson			

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And said bill, H. 295, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Davis	Hardy	Law
Adams	Dawkins	Hare	Lee (Barbour)
Albea	deGraffenried	Harrison	Lee (Lawrence)
Ashworth	Dement	Harvey	Locke (Choctaw)
Bassett	Dickson	Hodges	Love
Boyd	Edwards (Escambia)	Holliman	McClendon
Bradford	Edwards (Jefferson)	Huddleston	McKay
Brannan	Faulk	Hunt	McLendon
Brassell	Ferrell	Jenkins	McNider
Brewer	Gilchrist	Johnson (Elmore)	Martin
Broadfoot	Gist	Johnson (Tallapoosa)	Mathison
Brooks	Goodwyn	Kaul	Meeks
Brown (Lamar)	Gregory	Kelly	Money
Burkhalter	Hain	Kendall	Murphy
Callahan	Hall	Killough	Nettles
Cox	Haltom	Kirkham	Nice
Crook	Hanby	Lackey	Nolen

Oakley	Ramey	Speaks	Tyson
Oden	Reynolds	Steagall	Vacca
Payne	Richardson	Stembridge	Ward
Perry	Shumate	Stokes	Windle
Pirkle	Simon	Summerlin	Wood
Pruitt	Solomon	Thomas	

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RECESS

On motion of Mr. Lee (Barbour) the House recessed until 2:30 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:30 o'clock P.M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 490. Relating to counties having a population of not less than twenty two thousand (22,000) nor more than twenty three thousand (23,000) inhabitants according to the 1950 census of the United States, **Providing for the disbursement of gasoline tax moneys received from the State on a county-wide basis under the direction of the county governing body and the supervision of the county engineer for the establishing, constructing, repairing and maintenance of county roads and bridges; powers and duties of the county engineer; designating the Judge of Probate, Chairman of Court of County Commissioners, as Purchasing Agent for the county; regulating the purchase of supplies, materials, equipment and contractual services in such county; placing County Commissioners on salary.**

Also:

H. 421. To amend Sections 2 and 3 of Local Act No. 162 (1943) of the Legislature of Alabama, approved June 17, 1943, entitled 'An Act to fix the salary of the Judge of Probate of Cherokee County, Alabama, the Tax Collector of Cherokee County, the Tax Assessor of Cherokee County, the Clerk of the Court of Cherokee County, the Register in Chancery of Cherokee County, the Deputy Solicitor of Cherokee County, the Sheriff of Cherokee County; to provide for his deputies and to provide for clerical assistance and other expenses of said officers of Probate Judge and Sheriff; to require each of said officers to collect all the fees, compensation and allowances heretofore collected by said officers and which may hereafter be collected by said officers and cover same into the County Treasury on or before the fifth day of each month and to provide for the payment of the salary of clerical assistance and office expense by the Treasury of the County.' "

Also:

H. 423. Proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Conecuh County.

Also:

H. 426. **An Act To authorize in any county in the State of Alabama having a population of more than 500,000 according to the last or any**

subsequent Federal census, the creation of a public corporation which may be vested with all or any of the following powers: (1) to establish, maintain and operate one or more hospitals, clinics, centers and other facilities for the prevention, treatment or diagnosis of tuberculosis; (2) to furnish medicines, supplies, nurses, technicians, physicians and other personnel and all other items appropriate for the maintenance and operation of any such hospital, clinic, center or facility; (3) to lease, construct, own, or otherwise acquire lands, buildings, hospitals, clinics, centers, or other facilities and equipment appropriate for the prevention, treatment or diagnosis of tuberculosis; (4) to disseminate knowledge concerning the cause, prevention and treatment of tuberculosis; (5) to do all things and acts having as their object the relief of those afflicted with tuberculosis, and the control and prevention of that disease throughout the county; to provide for the method of forming said corporation; to provide that said corporation shall constitute a public corporation; to provide for the determination of which of the foregoing powers said corporation shall have to provide for the change of the corporate name and amendments of the corporate certificate or charter; to provide for the management of said corporation by a board of directors, the means of the appointment of the directors, their duties and authority and their term of office; to empower any such corporation to borrow money and issue bonds, notes or other evidences of indebtedness and execute mortgages, deeds of trust or other conveyances and instruments as security for money so borrowed; to provide for such corporation to accept property by gift, bequest or devise, and to accept by gift, grant, loan or otherwise, any funds from the United States Government, or any agency thereof, for the furtherance of any one or more of its corporate purposes, upon such terms and conditions as may be prescribed by The United States Government, or any agency thereof; to otherwise define the powers and duties of the corporation; and to accord any such corporation exemption from State, county or city taxes.

Also:

H. 428. To extend, alter, and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

Also:

H. 429. To permit any bank in Lawrence County to establish one or more branches, or additional offices or places of business, for the receipts of deposits, payment of checks, lending of money, and doing a general banking business, subject to the approval of the State Superintendent of Banks.

Also:

H. 438. To amend Section 1 of Act No. 47, H. 121, approved June 3, 1953, entitled, "An Act relating to Russell County; providing for the appointment of an additional deputy sheriff, prescribing his duties, and fixing his compensation." (Acts of the 1953 Regular Session, Vol. 1, page 59).

Also:

H. 439. To amend further Section 1 of Act No. 14, H. 119, approved June 19, 1947, entitled, "An Act to authorize the sheriff of Russell County to appoint an additional deputy sheriff, to fix the salary of the deputy, and to require him to give bond," (Local Acts of the 1947 Regular Session, p. 14).

Also:

H. 440. To amend further Section 2 of Act No. 78, H. 382, approved

May 28, 1943, entitled, "An Act to authorize and empower the sheriff of Russell County, Alabama, to appoint, in addition to the deputy or deputies as now provided by law, a special or general deputy, fix his tenure of office, prescribe his duties, fix his compensation and to authorize and require the court of county commissioners to pay the same by warrant drawn on the treasurer and paid out of the general funds of said county, and to require said deputy to give bond in the sum of \$1,000.00, payable to said sheriff, with conditions as required by law," (Local Acts of the 1943 Regular Session, p. 43).

Also:

H. 441. To validate warrants numbered 3223, 3224, 3225, 4127, 4128, 4129, 4206, 4207, 4208, 4435, 4436 and 4437. Said warrants being issued by the County Commission for Russell County, Alabama.

J. E. SHEIGHT,
Secretary.

BILLS ON THIRD READING RESUMED MOTION ADOPTED

The motion of Mr. Fite to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 550, was adopted.

And the bill:

H. 550. To authorize each county in this state to sell and issue from time to time interest bearing warrants or certificates of indebtedness for the purpose of acquiring and providing county airports; providing that such warrants and certificates shall evince general obligation indebtedness of the county; authorizing each county to pledge and use for payment of the principal of and interest on such warrants and certificates so much as may be necessary for such purpose of the proceeds of any county privilege, license or excise tax now or hereafter levied in whole or in part for the construction, maintenance, and operation of county airports; specifying the effect and priority of any such pledge; and authorizing the refunding of such warrants and certificates.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hall	McClendon
Adams	Cox	Haltom	McKay
Albea	Crook	Hanby	McLendon
Ashworth	Davis	Hardy	McNider
Bassett	Dawkins	Hare	Martin
Boyd	deGraffenried	Harvey	Mathews
Bradford	Dement	Hodges	Mathison
Brannan	DeSear	Holliman	Money
Branyon	Edwards (Escambia)	Huddleston	Murphy
Brassell	Edwards (Jefferson)	Hunt	Nettles
Brewer	Ferrell	Jenkins	Nolen
Broadfoot	Gilchrist	Kendall	Oakley
Brooks	Gist	Killough	Oden
Brown (Lamar)	Goodwyn	Lee (Barbour)	Payne
Brown (Lee)	Gregory	Lee (Lawrence)	Pirkle
Burkhalter	Grouby	Locke (Choctaw)	Pruitt
Callahan	Hain	Love	Reynolds

Richardson	Speaks	Summerlin	Tyson
Roberts	Steagall	Taylor	Vacca
Shumate	Stembridge	Thomas	Windle
Solomon	Stokes		

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MOTION ADOPTED

The motion of Mr. Fite to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 551, was adopted.

And the bill:

H. 551. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	deGraffenried	Hunt	Oden
Adams	Dement	Jenkins	Payne
Albea	Dickson	Kendall	Perry
Ashworth	Edwards (Escambia)	Killough	Pirkle
Bassett	Ferrell	Lee (Barbour)	Pruitt
Boyd	Gilchrist	Lee (Lawrence)	Ramey
Bradford	Gist	Locke (Choctaw)	Reynolds
Brannan	Goodwyn	Love	Richardson
Branyon	Gregory	McClendon	Shumate
Brassell	Grouby	McKay	Solomon
Brewer	Hain	McLendon	Speaks
Broadfoot	Hall	McNider	Steagall
Brown (Lamar)	Haltom	Martin	Stembridge
Brown (Lee)	Hanby	Mathews	Stokes
Burkhalter	Hardy	Mathison	Summerlin
Callahan	Hare	Money	Taylor
Cornett	Harrison	Murphy	Thomas
Cox	Harvey	Nettles	Tyson
Crook	Hodges	Nice	Vacca
Davis	Holliman	Nolen	Windle
Dawkins	Huddleston	Oakley	

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MOTION ADOPTED

The motion of Mr. Fite to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 552, was adopted.

And the bill:

H. 552. To amend Section 5 of Title 37, Code of Alabama (1940), which classifies incorporated municipalities as "cities" or "towns."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Albea	Bassett	Bradford
Adams	Ashworth	Boyd	Brannan

Brassell	Gist	Lee (Barbour)	Perry
Brewer	Goodwyn	Lee (Lawrence)	Pirkle
Broadfoot	Gregory	Locke (Choctaw)	Pruitt
Brooks	Grouby	Love	Ramey
Brown (Lamar)	Hain	McClendon	Reynolds
Brown (Lee)	Hall	McKay	Richardson
Burkhalter	Haltom	McLendon	Roberts
Callahan	Hanby	McNider	Shumate
Cornett	Hardy	Martin	Solomon
Cox	Hare	Mathews	Speaks
Crook	Harrison	Mathison	Steagall
Davis	Harvey	Money	Stembridge
Dawkins	Hodges	Murphy	Stokes
deGraffenried	Holliman	Nettles	Summerlin
Dement	Huddleston	Nice	Taylor
DeSear	Hunt	Nolen	Thomas
Dickson	Jenkins	Oakley	Tyson
Edwards (Escambia)	Johnson (Tallapoosa)	Oden	Vacca
Ferrell	Kendall	Payne	Windle
Gilchrist	Killough		

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MOTION ADOPTED

The motion of Mr. Fite to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 553, was adopted.

And the bill:

H. 553. To amend Title 13, section 179, of the Code of 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	deGraffenried	Holliman	Nice
Adams	Dement	Huddleston	Nolen
Albea	DeSear	Hunt	Oakley
Ashworth	Dickson	Johnson (Tallapoosa)	Oden
Bassett	Edwards (Escambia)	Kendall	Payne
Boyd	Edwards (Jefferson)	Killough	Perry
Bradford	Faulk	Lackey	Pirkle
Brannan	Ferrell	Lee (Barbour)	Pruitt
Branyon	Gilchrist	Lee (Lawrence)	Ramey
Brassell	Gist	Locke (Choctaw)	Reynolds
Brewer	Goodwyn	Love	Richardson
Broadfoot	Gregory	McClendon	Shumate
Brooks	Grouby	McKay	Solomon
Brown (Lamar)	Hain	McLendon	Speaks
Brown (Lee)	Hall	McNider	Steagall
Burkhalter	Haltom	Martin	Stembridge
Callahan	Hanby	Mathews	Stokes
Cornett	Hardy	Mathison	Summerlin
Cox	Hare	Meeks	Thomas
Crook	Harrison	Money	Tyson
Davis	Harvey	Murphy	Vacca
Dawkins	Hodges	Nettles	Windle

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MOTION ADOPTED

The motion of Mr. Goodwyn to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 456, was adopted.

And the bill:

H. 456 (with amendment). To make an appropriation in the amount of \$6,500, or so much thereof as may be necessary, to the Department of Industrial Relations for the purchase of equipment and supplies for the Division of Safety and Inspection within said Department, which appropriation shall be in addition to any and all other appropriations heretofore made for said Department for the fiscal year October 1, 1954-September 30, 1955.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

WAYS AND MEANS COMMITTEE AMENDMENT TO H. B. 456

Amend H. B. 456 by striking therefrom the words and figures "\$6,500" where they appear in the Title and Section One (1) of said Bill and substitute therefor the words and figures "\$2,000."

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Dement	Jenkins	Nice
Adams	DeSear	Johnson (Tallapoosa)	Nolen
Albea	Dickson	Kendall	Oakley
Ashworth	Edwards (Escambia)	Killough	Oden
Bassett	Edwards (Jefferson)	Lackey	Payne
Boyd	Ferrell	Lee (Barbour)	Perry
Bradford	Gilchrist	Lee (Lawrence)	Pirkle
Brannan	Gist	Locke (Choctaw)	Ramey
Branyon	Goodwyn	Love	Richardson
Brassell	Gregory	McClendon	Roberts
Brewer	Grouby	McKay	Shumate
Broadfoot	Hain	McLendon	Simon
Brooks	Hall	McNider	Speaks
Brown (Lamar)	Haltom	Martin	Steagall
Brown (Lee)	Hanby	Mathews	Stembridge
Burkhalter	Hare	Mathison	Summerlin
Callahan	Harrison	Meeks	Taylor
Cornett	Harvey	Molette	Thomas
Cox	Hodges	Money	Tyson
Crook	Huddleston	Murphy	Vacca
Dawkins	Hunt	Nettles	Windle
deGraffenried			

—85

And said bill, H. 456, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	deGraffenried	Hunt	Nolen
Adams	Dement	Jenkins	Oakley
Albea	DeSear	Johnson (Tallapoosa)	Oden
Ashworth	Dickson	Kendall	Payne
Bassett	Edwards (Escambia)	Killough	Perry
Boyd	Edwards (Jefferson)	Lackey	Pirkle
Bradford	Faulk	Lee (Barbour)	Ramey
Brannan	Ferrell	Lee (Lawrence)	Reynolds
Branyon	Gilchrist	Locke (Choctaw)	Richardson
Brassell	Gist	Love	Roberts
Brewer	Goodwyn	McClendon	Shumate
Broadfoot	Gregory	McKay	Simon
Brooks	Grouby	McLendon	Speaks
Brown (Lamar)	Hain	McNider	Steagall
Brown (Lee)	Hall	Martin	Stembridge
Burkhalter	Haltom	Mathews	Stokes
Callahan	Hanby	Mathison	Summerlin
Cornett	Hare	Meeks	Taylor
Cox	Harrison	Money	Thomas
Crook	Hodges	Murphy	Tyson
Davis	Holliman	Nettles	Vacca
Dawkins	Huddleston	Nice	Windle

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 271. To amend Section Three (3) of an Act entitled: "An Act to provide for the appointment of the Clerk of the Inferior Criminal Court of Mobile County; to fix the compensation and term of office of such Clerk and to provide that for such compensation such Clerk shall perform the Ex-Officio duties of the Clerk of the Inferior Civil Court of Mobile County, as well as the duties of Clerk of the Civil Division of the Inferior Criminal Court of Mobile County; and to repeal all laws and parts of laws in conflict herewith," approved August 5, 1953 (Acts of the Legislature 1953, page 352).

Also:

H. 390. Relating to Walker County; proposing an amendment to the Constitution of Alabama relative to regulating the costs, and charges of courts in Walker County, and the method of disbursement of same.

Also:

H. 457. Relating to Baldwin County; providing that any savings and loan association organized and operating under the provisions of Chapter 11 of Title 5, Code of Alabama (1940), as amended, and existing in any such county, may, with the approval of the Savings and Loans Commissioner, State Department of Commerce, open, establish, and maintain a branch office in Fairhope, Alabama, in said county.

Also:

H. 463. To amend Act No. 219, Acts of Alabama, Regular Session, 1949, page 311, entitled "An Act Relating to Butler County: To provide further for the County Board of Education, providing for the election of members, fixing their terms and compensation, and defining their powers and duties."

Also:

H. 466. For the relief of Charles Bearden, to authorize and direct the governing body of Marshall County, Alabama, to make an appropriation of Seven Hundred and No/100 Dollars out of the GENERAL FUND or the ROAD & BRIDGE FUND for the relief of Charles Bearden for property damage suffered by him as a result of negligence of a county employee, and to provide for the effective date of this Act.

Also:

H. 467. To provide for the relief of H. L. Hughes out of the funds of Marshall County, Alabama.

Also:

H. 468. For the relief of the Check-R-Board Feed Store, to provide compensation from the General Fund or the Road & Bridge Fund of Marshall County to Check-R-Board Feed Store for property damage resulting from the collapse of a bridge under a public road in Marshall County.

Also:

H. 469. For the relief of L. F. Campbell, to provide compensation from the General Fund or the Road and Bridge Fund of Marshall County to L. F. Campbell for property damage resulting from the collapse of a bridge under a public road of Marshall County.

Also:

H. 269. Relating to Mobile County; providing for the appointment, duties and compensation of a Chief Assistant to the Clerk of the Inferior Court of Mobile County.

Also:

H. 491. Relating to Pike County; abolishing the fine and forfeiture fund, providing for a transfer of the money held in such fund to the general fund of the county, providing that all revenues accruing to the fine and forfeiture fund of said county as provided by law shall hereafter be paid into the general fund of the county and that all claims which are registered against or payable out of the fine and forfeiture fund, as prescribed by law, shall be paid out of the general fund of the county, and repealing an Act entitled "An act to regulate the fine and forfeiture fund of Pike County, Alabama, and provide for the registration and payment of claims against said fund." (Act No. 343, Approved September 17, 1919, Local Acts, 1919, page 138).

Also:

H. 492. Relating to Pike County; proposing an amendment to the Constitution of Alabama to provide that the Legislature may from time to time, by general or local laws, fix, alter and regulate the costs and charges of courts in Pike County and the method of disbursement thereof.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 421. To amend Sections 2 and 3 of Local Act No. 162 (1943) of the Legislature of Alabama, approved June 17, 1943, entitled 'An Act to fix the salary of the Judge of Probate of Cherokee County, Alabama, the Tax Collector of Cherokee County, the Tax Assessor of Cherokee County, the Clerk of the Court of Cherokee County, the Register in Chancery of Cherokee County, the Deputy Solicitor of Cherokee County, the Sheriff of Cherokee County; to provide for his deputies and to provide for clerical assistance and other expenses of said officers of Probate Judge and Sheriff; to require each of said officers to collect all the fees, compensation and allowances heretofore collected by said officers and which may hereafter be collected by said officers and cover same into the County Treasury on or before the fifth day of each month and to provide for the payment of the salary of clerical assistance and office expense by the Treasury of the County.' "

Also:

H. 423. Proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Conecuh County.

Also:

H. 428. To extend, alter and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

Also:

H. 429. To permit any bank in Lawrence County to establish one or more branches, or additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business, subject to the approval of the State Superintendent of Banks.

Also:

H. 438. To amend Section 1 of Act No. 47, H. 121, approved June 3, 1953, entitled, "An Act relating to Russell County; providing for the appointment of an additional deputy sheriff, prescribing his duties, and fixing his compensation," (Acts of the 1953 Regular Session, Vol. I, page 59).

Also:

H. 439. To amend further Section 1 of Act No. 14, H. 119, approved June 19, 1947, entitled, "An Act to authorize the sheriff of Russell County to appoint an additional deputy sheriff, to fix the salary of the deputy, and to require him to give bond," (Local Acts of the 1947 Regular Session, p. 14).

Also:

H. 441. To validate warrants numbered 3223, 3224, 3225, 4127, 4128, 4129, 4206, 4207, 4208, 4435, 4436 and 4437.

Said warrants being issued by the County Commission for Russell County, Alabama.

Also:

H. 426. An Act to authorize in any county in the State of Alabama having a population of more than 500,000 according to the last or any subsequent Federal census, the creation of a public corporation which may be vested with all or any of the following powers: (1) to establish,

maintain and operate one or more hospital, clinics, centers and other facilities for the prevention, treatment or diagnosis of tuberculosis; (2) to furnish medicines, supplies, nurses, technicians, physicians and other personnel and all other items appropriate for the maintenance and operation of any such hospital, clinic, center or facility; (3) to lease, construct, own, or otherwise acquire lands, buildings, hospitals, clinics, centers, or other facilities and equipment appropriate for the prevention, treatment or diagnosis of tuberculosis; (4) to disseminate knowledge concerning the cause, prevention and treatment of tuberculosis; (5) to do all things and acts having as their object the relief of those afflicted with tuberculosis, and the control and prevention of that disease throughout the county; to provide for the method of forming said corporation; to provide that said corporation shall constitute a public corporation; to provide for the determination of which of the foregoing powers said corporation shall have to provide for the change of the corporate name and amendments of the corporate certificate or charter; to provide for the management of said corporation by a board of directors, the means of the appointment of the directors, their duties and authority and their term of office; to empower any such corporation to borrow money and issue bonds, notes or other evidence of indebtedness and execute mortgages, deeds of trust or other conveyances and instruments as security for money so borrowed; to provide for such corporation to accept property by gift, bequest or devise, and to accept by gift, grant, loan or otherwise, any funds from The United States Government, or any agency thereof, for the furtherance of any one or more of its corporate purposes, upon such terms and conditions as may be prescribed by The United States Government, or any agency thereof; to otherwise define the powers and duties of the corporation; and to accord any such corporation exemption from State, county or city taxes.

Also:

H. 440. To amend further Section 2 of Act No. 78, H. 382, approved May 28, 1943, entitled, "An Act to authorize and empower the sheriff of Russell County, Alabama, to appoint, in addition to the deputy or deputies as now provided by law, a special or general deputy, fix his tenure of office, prescribe his duties, fix his compensation and to authorize and require the court of county commissioners to pay the same by warrant drawn on the treasurer and paid out of the general funds of said county, and to require said deputy to give bond in the sum of \$1,000.00, payable to said sheriff, with conditions as required by law," (Local Acts of the 1943 Regular Session, p. 43).

Also:

H. 490. Relating to counties having a population of not less than twenty two thousand (22,000) nor more than twenty three thousand (23,000) inhabitants according to the 1950 census of the United States; Providing for the disbursement of gasoline tax moneys received from the State on a county-wide basis under the direction of the county governing body and the supervision of the county engineer for the establishing, constructing, repairing and maintenance of county roads and bridges; powers and duties of the county engineer; designating the Judge of Probate, Chairman of Court of County Commissioners, as Purchasing Agent for the county; regulating the purchase of supplies, materials, equipment and contractual services in such county; placing County Commissioners on salary.

And finds same correctly enrolled.

RANKIN FITE.
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Shelton, Flowers, Lamberth, Roberts, Metcalf, Skidmore, Allen and Cantrell:

S. J. R. 42. Be it Resolved by the Senate of Alabama, the House of Representatives Concurring:

1. That there shall be a joint legislative committee to study the dairy industry in the State of Alabama and to recommend such legislation as is necessary to cure inequities in that industry and to develop further the market for dairy products produced in Alabama.

2. The committee shall undertake such a study forthwith, and shall report its findings and recommendations for legislation on or before the twenty-fifth legislative day of the current session of the Legislature.

3. The committee shall be composed of the chairman of the House Committee on Health, the chairman of the House Committee on Agriculture, the Speaker of the House of Representatives, and two other members of the House appointed by the Speaker; the chairman of the Senate Committee on Public Health, the chairman of the Senate Committee on Agriculture, the President of the Senate, and two other members of the Senate appointed by the President of the Senate. The members of the committee provided for herein shall receive no additional compensation for the services required of them hereunder.

4. The President of the Senate shall serve as chairman of the committee, and the Speaker of the House shall serve as vice-chairman.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The S. J. R. 42 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

H. 261. To require the Attorney General to compile and have printed all constitutional and statutory provisions of this State relating to the registration and qualifications of electors and to provide a copy of such compilation for each member of the various boards of registrars.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	DeSear	Johnson (Tallapoosa)	Nice
Adams	Dickson	Kaul	Nolen
Albea	Edwards (Escambia)	Kendall	Oakley
Bassett	Edwards (Jefferson)	Killough	Oden
Boyd	Faulk	Kirkham	Payne
Bradford	Ferrell	Lackey	Perry
Brannan	Gilchrist	Lee (Barbour)	Pirkle
Branyon	Gist	Lee (Lawrence)	Pruitt
Brassell	Goodwyn	Locke (Choctaw)	Ramey
Brewer	Gregory	Love	Reynolds
Broadfoot	Hain	McClendon	Richardson
Brooks	Hall	McKay	Shumate
Brown (Lamar)	Haltom	McLendon	Simon
Brown (Lee)	Hanby	McNider	Speaks
Burkhalter	Hardy	Martin	Steagall
Callahan	Harrison	Mathews	Stembridge
Cornett	Harvey	Mathison	Summerlin
Cox	Hodges	Meeks	Taylor
Crook	Holliman	Molette	Thomas
Davis	Huddleston	Money	Tyson
Dawkins	Hunt	Murphy	Vacca
deGraffenried	Jenkins	Nettles	Windle
Dement			

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RESOLUTION

The following resolution was introduced:

By Mr. Lee (Barbour):

H. J. R. 43. Joint Resolution creating a Joint Legislative Committee to investigate the United Telephone and Telegraph Company and the Clio Telephone Company to determine whether the service provided by such companies is adequate or obtainable.

Whereas the law provides that the rates and charges for services rendered the public by utilities shall be reasonable and just, and so fixed that the utility will be able at all times to fully perform its duties to the public; and

Whereas the rates and charges approved for the United Telephone and Telegraph Company and the Clio Telephone Company, two utilities currently operating under a common management, have been so fixed that such companies are able to provide adequate service to the public they are authorized to serve, but they have failed to provide adequate service, and rural service in the area is practically unobtainable: therefore,

Be it resolved by the House of Representatives, the Senate concurring, that there is hereby created a committee, to be composed of three members of the House appointed by the Speaker of the House, and three members of the Senate appointed by the President of the Senate, to make an immediate investigation of the operations of the United Telephone and Telegraph Company and of the Clio Telephone Company, with a view to determining whether said companies are providing adequate service to the public in the areas they are authorized to serve; that all hearings be open to the public and be held in the area served by said companies, after notice thereof shall have been

given as prescribed by law; and that the committee report its findings to the two houses of the Legislature within four weeks from the time the committee is appointed.

On motion of Mr. Lee (Barbour) the rules were suspended and H. J. R. 43 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Vann:

S. 186. To make it mandatory that all elections hereafter held in Madison County, or in any municipality or political subdivision thereof, must be conducted with the use of voting machines; repealing all laws, general, local, and special, in conflict with this Act.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

To make it mandatory that all elections hereafter held in Madison County, or in any municipality or political subdivision thereof, must be conducted with the use of voting machines; repealing all laws, general, local, and special, in conflict with this Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. All elections by the people hereafter held in Madison County, or in any municipality or political subdivision, or in any part thereof, for any purpose or any question, must be conducted with the use of voting machines, the provisions of any other law, general, local, or special, to the contrary notwithstanding.

Section 2. All laws or parts of laws, general, local, or special in conflict with this Act are repealed to the extent of such conflict.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

May 10, 17, 24 & 31, 1955.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charley W. Holder, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, May 17, May 24, and May 31, all in the year 1955.

CHARLEY W. HOLDER,
Secretary-Treasurer.

Sworn to and subscribed before me 31 May, 1955.

OPAL H. DILWORTH,
Notary Public.

Also:

By Mr. Givhan:

S. 198. To amend Act No. 208, S. 182, approved June 22, 1943 (Local Acts, 1943, p. 110), which Act authorizes The Court of County Revenues of Dallas County, Alabama, to expend county funds for purposes not otherwise provided by law.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF DALLAS

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 208, S. 182, approved June 22, 1943 (Local Acts, 1943, p. 110), which Act authorizes The Court of County Revenues of Dallas County, Alabama, to expend county funds for purposes not otherwise provided by law.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Act. No. 208, S. 182, approved June 22, 1943 (Local Acts, 1943, p. 110), which authorizes The Court of County Revenues of Dallas County, Alabama, to expend county funds for purposes not otherwise provided by law, is hereby amended to read as follows:

"Section 1. The Court of County Revenues of Dallas County, Alabama, is hereby authorized and empowered to appropriate out of any moneys in the county treasury not otherwise appropriated, and to expend not exceeding the sum of twelve thousand dollars (\$12,000.00) per annum for any purposes, not otherwise provided for by law, that in their judgment are worthy and for the best interest of the county, the fund hereby authorized to be known as the 'Contingent Fund.' Provided, however, the expenditures herein provided shall first be authorized by the governing body of the county in a resolution spread upon its minutes.

"Section 2. Under the provisions of Section 1, not more than twelve thousand dollars (\$12,000.00) shall be appropriated and expended in any one year; and should any sum or sums remain unexpended in said fund at the end of the year, only so much shall be appropriated for the next succeeding year as will together with the sum so remaining un-expended bring the Contingent Fund up to the sum of twelve thousand dollars (\$12,000.00)."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Cornelia Morrison, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Assistant to Publisher of the Selma Times Journal, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 31, June 7, June 14, and June 21, all in the year 1955.

(Miss) CORNELIA MORRISON.

Sworn to and subscribed before me June 22, 1955.

FRANK FORD,
Notary Public.
J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 186. Local Legislation No. 1.

S. 198. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Reeves:

S. 197. Relating to the Office of the Circuit Solicitor of the Twelfth Judicial Circuit: Creating a fund for the use of certain state officers of said Circuit.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 197. Ways and Means.

BILLS ON THIRD READING RESUMED

S. 9. To regulate further the compensation of the judges of the circuit courts in all circuits composed of two counties when the judge is required by law to hold at least two terms of court at two different places in at least one of such counties during any one year; providing for a supplement to the salary of the judge payable by the counties composing the circuit.

Was read a third time at length and passed.

Yeas 86; Nays 1.

Yeas:

Mr. Speaker	Dement	Johnson (Tallapoosa)	Nice
Adams	Dickson	Kelly	Nolen
Albea	Edwards (Escambia)	Kendall	Oakley
Ashworth	Edwards (Jefferson)	Killough	Oden
Bassett	Faulk	Kirkham	Payne
Boyd	Ferrell	Lackey	Perry
Bradford	Gilchrist	Law	Pirkle
Brannan	Gist	Lee (Barbour)	Pruitt
Branyon	Gregory	Lee (Lawrence)	Reynolds
Brassell	Grouby	McClendon	Richardson
Brewer	Hain	McKay	Roberts
Broadfoot	Hall	McLendon	Shumate
Brooks	Haltom	McNider	Simon
Brown (Lamar)	Hanby	Martin	Solomon
Brown (Lee)	Hardy	Mathews	Speaks
Burkhalter	Harrison	Mathison	Steagall
Callahan	Harvey	Meeks	Stokes
Cornett	Holliman	Molette	Summerlin
Cox	Huddleston	Money	Thomas
Crook	Hunt	Murphy	Vacca
Davis	Jenkins	Nettles	Windle
deGraffenried	Johnson (Elmore)		

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Nays: Mr. Hodges.

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MESSAGE FROM THE GOVERNOR

To the House of Representatives

State Capitol
Montgomery, Alabama
Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 418, without his approval.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

July 6, 1955

To the House of Representatives
State Capitol
Montgomery, Alabama
Gentlemen:

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 418, without my approval.

This bill is being returned at the request of the authors of the bill since an identical bill (Senate Bill No. 152) has already been approved.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

The House proceeded to reconsider the bill:

H. 418. To create a Hospital Board in all counties of this state having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent Federal decennial census, provide for the appointment of the members of said Board, their terms of office and compensation, to require said counties and all municipalities located within said counties to make payments to said Hospital Board to aid in the operation of a hospital in said counties and to provide care for charity patients, to require said Hospital Board to operate a hospital in said counties and to prescribe the powers and duties of said Hospital Board, and to provide for meetings of said Board and a fiscal year for the operations of said Hospital Board.

The question was upon the passage of the bill, H. 418, the Governor's veto to the contrary notwithstanding.

And the bill, H. 418, was again read at length, and the House refused to pass said bill over the veto of the Governor.

Yeas 0; Nays 83.

Nays:

Mr. Speaker	Dickson	Kendall	Oden
Adams	Edwards (Escambia)	Killough	Payne
Albea	Faulk	Kirkham	Perry
Ashworth	Ferrell	Lackey	Pirkle
Bassett	Gist	Law	Pruitt
Boyd	Gregory	Lee (Barbour)	Ramey
Bradford	Grouby	Lee (Lawrence)	Reynolds
Brannan	Hain	Love	Richardson
Branyon	Hall	McKay	Roberts
Brassell	Haltom	McLendon	Shumate
Brewer	Hanby	McNider	Simon
Broadfoot	Hardy	Martin	Solomon
Brooks	Harrison	Mathews	Speaks
Brown (Lamar)	Harvey	Mathison	Steagall
Burkhalter	Hodges	Molette	Stembridge
Cornett	Holliman	Money	Stokes
Cox	Hunt	Murphy	Summerlin
Crook	Jenkins	Nettles	Taylor
Davis	Johnson (Elmore)	Nice	Thomas
deGraffenried	Kaul	Nolen	Windle
Dement	Kelly	Oakley	

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BILLS ON THIRD READING RESUMED

H. 17 (with amendment): To create a State Department of Pensions and Social Services, a State Board of Pensions and Social Services, county department of pensions and social services, and county boards of pensions and social services; to create the chief executive officer who shall be known as the Commissioner of the State Department of Pensions and Social Services who shall exercise all the rights, powers, authority, and duties thereof; to define the powers and duties of the State Department, of the State Board, of the county departments, and of the county boards; to transfer and confer upon the Department of Pensions and Social Services all the powers and duties now or hereafter vested in the Department of Public Welfare; to provide that "old age assistance" shall be known as old age pensions; and to provide that the

Department of Pensions and Social Services be substituted for Department of Public Welfare in any litigation pending to which the Department of Public Welfare is a party.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Public Welfare, said committee amendment being as follows:

PUBLIC WELFARE COMMITTEE AMENDMENT TO HOUSE
NO. 17

Amend H. B. No. 17 by adding at the end of Section 1 thereof the following:

The jurisdiction, functions, funds, effects, and personnel of the State Department of Public Welfare are hereby transferred to the State Department of Pensions and Social Services and covered with their current status.

Also:

Amend H. B. No. 17 by adding at the end of Section 4 thereof the following:

The jurisdiction, functions, funds, effects, and personnel of the county departments of public welfare are hereby transferred to the county departments of pensions and social services and covered with their current status.

And the amendment was adopted.

Yeas 86; Nays 1.

Yeas:

Mr. Speaker	Dickson	Johnson (Tallapoosa)	Nolen
Adams	Edwards (Escambia)	Kelly	Oakley
Albea	Edwards (Jefferson)	Kendall	Oden
Ashworth	Faulk	Killough	Payne
Bassett	Ferrell	Lackey	Pirkle
Boyd	Gilchrist	Law	Ramey
Bradford	Gist	Lee (Barbour)	Reynolds
Branyon	Goodwyn	Lee (Lawrence)	Roberts
Brassell	Gregory	Love	Shumate
Brewer	Grouby	McClendon	Simon
Broadfoot	Hall	McKay	Solomon
Brooks	Haltom	McLendon	Speaks
Brown (Lamar)	Hanby	McNider	Steagall
Burkhalter	Hardy	Martin	Stembridge
Callahan	Harrison	Mathews	Stokes
Cornett	Harvey	Mathison	Summerlin
Cox	Hodges	Meeks	Thomas
Crook	Holliman	Molette	Tyson
Davis	Huddleston	Money	Vacca
Dawkins	Hunt	Murphy	Ward
deGraffenried	Jenkins	Nice	Windle
Dement	Johnson (Elmore)		

Nays: Mr. Hare.

Mr. Davis offered the following amendment to the bill, H. 17, as amended:

AMENDMENT OF H. B. 17

Amend the caption and body of the bill by striking out the words "State Department of Pensions and Social Services," and substituting therefor the words "State Department of Pensions and Security."

Also, strike out the words "State Board of Pensions and Social Services," and substitute therefor the words "State Board of Pensions and Security."

Also, strike out the words "Commissioner of the State Department of Pensions and Social Services," and substitute therefor the words "Commissioner of the State Department of Pensions and Security."

Also, strike out the words "county departments of pensions and social services," and substitute therefor the words "county departments of pensions and security."

Also, strike out the words "county boards of pensions and social services," and substitute therefor the words "county boards of pensions and security."

And the amendment was adopted.

Yeas 75; Nays 13.

Yeas:

Mr. Speaker	Dement	Kirkham	Pirkle
Adams	Edwards (Escambia)	Lackey	Ramey
Albea	Edwards (Jefferson)	Law	Reynolds
Bassett	Faulk	Lee (Barbour)	Roberts
Bradford	Ferrell	Lee (Lawrence)	Shumate
Branyon	Gist	Love	Simon
Brassell	Gregory	McClendon	Solomon
Brewer	Grouby	McKay	Speaks
Broadfoot	Hall	McLendon	Steagall
Brooks	Hanby	McNider	Stembridge
Brown (Lamar)	Harrison	Martin	Stokes
Burkhalter	Hodges	Mathews	Summerlin
Callahan	Holliman	Mathison	Taylor
Cornett	Huddleston	Meeks	Thomas
Cox	Hunt	Money	Tyson
Crook	Jenkins	Nettles	Vacca
Davis	Johnson (Elmore)	Nice	Ward
Dawkins	Johnson (Tallapoosa)	Oakley	Windle
deGraffenried	Kelly	Payne	

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Nays:

Messrs.	Dickson	Hare	Nolen
Boyd	Gilchrist	Kendall	Perry
Brannan	Goodwyn	Killough	Richardson
DeSear	Haltom		

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Mr. Davis offered the following amendment to the bill, H. 17, as amended:

AMENDMENT OF H. B. 17

Add the following proviso at the end of Section 4 of the bill:

It is provided, however, that members or employees of such county department who work in a professional capacity with clients over the age of 65 shall be known as "pension counsellors" rather than "case workers".

And the amendment was adopted.

Yeas 74; Nays 16.

Yeas:

Mr. Speaker	Dement	Killough	Payne
Adams	Edwards (Escambia)	Kirkham	Pirkle
Albea	Edwards (Jefferson)	Lackey	Ramey
Ashworth	Faulk	Law	Reynolds
Bassett	Ferrell	Lee (Barbour)	Roberts
Branyon	Gist	Lee (Lawrence)	Shumate
Brassell	Gregory	Love	Simon
Brewer	Grouby	McClendon	Solomon
Broadfoot	Hall	McKay	Speaks
Brooks	Hilton	McLendon	Steagall
Brown (Lamar)	Hanby	McNider	Stembridge
Burkhalter	Harrison	Martin	Stokes
Callahan	Hodges	Mathews	Summerlin
Cornett	Holliman	Mathison	Taylor
Cox	Hunt	Meeks	Thomas
Crook	Jenkins	Money	Vacca
Davis	Johnson (Elmore)	Nice	Ward
Dawkins	Johnson (Tallapoosa)	Oden	Windle
deGraffenried	Kelly		

—74

Nays:

Messrs.	Dickson	Huddleston	Oakley
Boyd	Goodwyn	Kendall	Perry
Bradford	Hardy	Molette	Pruitt
Brannan	Hare	Nolen	Richardson
DeSear			

—16

And said bill, H. 17, as thus amended, was read a third time at length and passed.

Yeas 69; Nays 20.

Yeas:

Mr. Speaker	Dawkins	Huddleston	Mathews
Adams	deGraffenried	Hunt	Mathison
Albea	Dement	Jenkins	Meeks
Ashworth	Edwards (Escambia)	Johnson (Elmore)	Money
Bassett	Faulk	Johnson (Tallapoosa)	Murphy
Branyon	Ferrell	Kelly	Oden
Brassell	Gist	Lackey	Payne
Brewer	Gregory	Law	Pirkle
Broadfoot	Grouby	Lee (Barbour)	Ramey
Brooks	Hall	Lee (Lawrence)	Reynolds
Brown (Lamar)	Hanby	Love	Roberts
Burkhalter	Hare	McClendon	Shumate
Callahan	Harrison	McKay	Simon
Cox	Hodges	McNider	Solomon
Davis	Holliman	Martin	Speaks

Steagall
Stembridge
Stokes

Taylor
Thomas

Tyson
Vacca

Ward
Windle

—69

Nays:

Messrs.
Boyd
Bradford
Brannan
Cornett
Crook

DeSear
Dickson
Gilchrist
Goodwyn
Haltom

Kendall
Killough
Kirkham
McLendon
Nettles

Nolen
Oakley
Perry
Pruitt
Richardson

—20

MOTION LOST

The motion of Mr. Adams to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 305, was lost.

Yeas 22; Nays 55.

Yeas:

Mr. Speaker
Adams
Brannan
Brassell
Brown (Lamar)
Burkhalter

Callahan
Dement
Gist
Grouby
Hanby
Hodges

Johnson (Tallapoosa)
Kendall
McNider
Mathews
Money
Murphy
Roberts
Simon
Stembridge
Vacca

—22

Nays:

Messrs.
Albea
Ashworth
Bassett
Boyd
Bradford
Branyon
Brewer
Broadfoot
Brown (Lee)
Cornett
Crook
Davis
DeSear

Dickson
Edwards (Escambia)
Edwards (Jefferson)
Ferrell
Gilchrist
Gregory
Hain
Haltom
Hardy
Hare
Harrison
Harvey
Holliman
Hunt
Jenkins
Johnson (Elmore)
Kaul
Kelly
Killough
Kirkham
Lackey
Law
Lee (Barbour)
Lee (Lawrence)
Love
McLendon
Martin
Meeks

Nettles
Oakley
Oden
Perry
Pruitt
Ramey
Richardson
Shumate
Solomon
Speaks
Steagall
Taylor
Tyson
Windle

—55

And the bill:

H. 135. To provide a lifetime fishing and hunting license for all citizens of this State over the age of sixty-five years and to provide for an issuing fee for such licenses.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 2.

Yeas:

Mr. Speaker
Adams
Albea
Ashworth

Bassett
Boyd
Bradford
Brannan

Branyon
Brassell
Brewer
Broadfoot

Brooks
Brown (Lamar)
Brown (Lee)
Burkhalter

Callahan	Hardy	Love	Perry
Cornett	Hare	McClendon	Pirkle
Crook	Harrison	McKay	Pruitt
Davis	Harvey	McLendon	Reynolds
Dawkins	Hodges	McNider	Roberts
deGraffenried	Holliman	Martin	Shumate
Dement	Huddleston	Mathews	Simon
Dickson	Jenkins	Mathison	Solomon
Edwards (Escambia)	Johnson (Elmore)	Meeks	Speaks
Edwards (Jefferson)	Johnson (Tallapoosa)	Molette	Steagall
Ferrell	Kelly	Money	Stembridge
Gilchrist	Kendall	Murphy	Stokes
Gist	Killough	Nettles	Taylor
Grouby	Kirkham	Nice	Thomas
Hain	Lackey	Nolen	Tyson
Hall	Law	Oakley	Vacca
Haltom	Lee (Barbour)	Oden	Ward
Hanby	Lee (Lawrence)	Payne	Windle

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Nays: Messrs. Gregory and Richardson.

—2

H. 66 POSTPONED

On motion of Mr. Murphy, consideration of the bill, H. 66, was postponed until the twenty-fourth legislative day.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on date and hours named and that I hold the receipt of the Executive Department for same.

Delieverd to the Governor at 3:45 P.M. On July 6, 1955

H. 421

H. 426

H. 428

H. 438

H. 439

H. 440

H. 441

H. 490

H. 429

Delivered to the Secretary of State at 3:46 P.M. On July 6, 1955.

H. 423

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Simon the House adjourned until Friday, July 8, 1955, at ten o'clock A.M.

NINETEENTH DAY

House of Representatives
Montgomery, Alabama
Friday, July 8, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend R. E. Whatley, Pastor, St. Marks Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names :

Mr. Speaker	Edwards (Escambia)	Kaul	Oden
Adams	Edwards (Jefferson)	Kelly	Payne
Albea	Faulk	Kendall	Perry
Ashworth	Ferrell	Killough	Pirkle
Bassett	Franklin	Kirkham	Pruitt
Boyd	Gilchrist	Lackey	Ramey
Bradford	Gist	Law	Reynolds
Brannan	Goodwyn	Lee (Barbour)	Richardson
Branyon	Gregory	Lee (Lawrence)	Roberts
Brassell	Grouby	Locke (Perry)	Selman
Brewer	Hain	Love	Shumate
Broadfoot	Hall	McClendon	Simon
Brooks	Haltom	McKay	Solomon
Brown (Lamar)	Hanby	McLendon	Speaks
Brown (Lee)	Hardy	McNider	Steagall
Burkhalter	Hare	Martin	Stembridge
Callahan	Harrison	Mathews	Stokes
Cornett	Harvey	Meeks	Summerlin
Cox	Hawkins	Molette	Taylor
Crook	Hodges	Money	Thomas
Davis	Holliman	Murphy	Tyson
Dawkins	Huddleston	Nettles	Vacca
deGraffenried	Hunt	Nice	Ward
Dement	Jenkins	Nolen	Windle
DeSear	Johnson (Elmore)	Oakley	Wood
Dickson	Johnson (Tallapoosa)		

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A quorum was present.

REPORT OF THE STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eighteenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the eighteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the eighteenth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 17. To create a State Department of Pensions and Security, A State Board of Pensions and Security, county departments of pensions and security, and county boards of pensions and security; to create the chief executive officer who shall be known as the Commissioner of the State Department of Pensions and Security who shall exercise all the rights, powers, authority, and duties thereof; to define the powers and duties of the State Department, of the State Board, of the county departments, and of the county boards; to transfer and confer upon the Department of Pensions and Security all the powers and duties now or hereafter vested in the Department of Public Welfare; to provide that "old age assistance" shall be known as old age pensions; and to provide that the Department of Pensions and Security be substituted for Department of Public Welfare in any litigation pending to which the Department of Public Welfare is a party.

RANKIN FITE,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 269. Relating to Mobile County; providing for the appointment, duties and compensation of a Chief Assistant to the Clerk of the Inferior Court of Mobile County.

Also:

H. 271. To amend Section Three (3) of an Act entitled: "An Act to provide for the appointment of the Clerk of the Inferior Criminal Court of Mobile County; to fix the compensation and term of office of such Clerk and to provide that for such compensation such Clerk shall perform the Ex-Officio duties of the Clerk of the Inferior Civil Court of Mobile County, as well as the duties of Clerk of the Civil Division of the Inferior Criminal Court of Mobile County; and to repeal all laws and parts of laws in conflict herewith," approved August 5, 1953 (Acts of the Legislature 1953, page 352).

Also:

H. 457. Relating to Baldwin County; providing that any savings and loan association organized and operating under the provisions of Chapter 11 of Title 5, Code of Alabama (1940), as amended, and existing in any such county, may, with the approval of the Savings and Loans Commissioner, State Department of Commerce, open, establish, and maintain a branch office in Fairhope, Alabama, in said county.

Also:

H. 463. To amend Act No. 219, Acts of Alabama, Regular Session, 1949, page 311, entitled "An Act Relating to Butler County: To provide

further for the County Board of Education, providing for the election of members, fixing their terms and compensation, and defining their powers and duties."

Also:

H. 466. For the relief of Charles Bearden, to authorize and direct the governing body of Marshall County, Alabama, to make an appropriation of Seven Hundred and No/100 Dollars out of the GENERAL FUND or the ROAD & BRIDGE FUND for the relief of Charles Bearden for property damage suffered by him as a result of negligence of a county employee, and to provide for the effective date of this Act.

Also:

H. 467. To provide for the relief of H. L. Hughes out of the funds of Marshall County, Alabama.

Also:

H. 468. For the relief of the Check-R-Board Feed Store, to provide compensation from the General Fund or the Road & Bridge Fund of Marshall County to Check-R-Board Feed Store for property damage resulting from the collapse of a bridge under a public road in Marshall County.

Also:

H. 469. For the relief of L. F. Campbell, to provide compensation from the General Fund or the Road and Bridge Fund of Marshall County to L. F. Campbell for property damage resulting from the collapse of a bridge under a public road of Marshall County.

Also:

H. 491. Relating to Pike County; abolishing the fine and forfeiture fund, providing for a transfer of the money held in such fund to the general fund of the county, providing that all revenues accruing to the fine and forfeiture fund of said county as provided by law shall hereafter be paid into the general fund of the county and that all claims which are registered against or payable out of the fine and forfeiture fund, as prescribed by law, shall be paid out of the general fund of the county, and repealing an Act entitled "An act to regulate the fine and forfeiture fund of Pike County, Alabama, and provide for the registration and payment of claims against said fund." (Act No. 343, Approved September 17, 1919, Local Acts, 1919, page 138).

Also:

H. 390. Relating to Walker County; proposing an amendment to the Constitution of Alabama relative to regulating the costs, and charges of courts in Walker County, and the method of disbursement of same.

Also:

H. 492. Relating to Pike County; proposing an amendment to the Constitution of Alabama to provide that the Legislature may from time to time, by general or local laws, fix, alter and regulate the costs and charges of courts in Pike County and the method of disbursement thereof.

And finds same correctly enrolled.

RANKIN FITE,
Chairman,

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF RULES COMMITTEE

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report.

By Rules Committee:

H. R. 44. BE IT RESOLVED BY THE HOUSE that the following bills in the order named be made special, paramount and continuing order of business for today, preceding any other business on the Calendar:

H. B. No. 98	Page 7
H. B. No. 350	Page 20
H. B. No. 193	Page 32
H. B. No. 244	Page 9
S. B. No. 34	Page 14
H. B. No. 371	Page 8
S. B. No. 95	Page 27
H. B. No. 343	Page 17
H. B. No. 420	Page 15
H. B. No. 258	Page 4

And H. R. 44 was adopted.

H. 292 RE-REFERRED

The motion of Mr. Brassell to re-refer the bill, H. 292, was adopted.

And the Speaker re-referred the bill,

H. 292. Proposing an amendment to the Constitution relating to the issuance of bonds or other securities.

to the Standing Committee on Local Government.

BILLS ON SECOND READING

Mr. Brassell, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit: :

H. 649. To amend Section 265, Title 13, Code of Alabama, 1940, relating to special court reporters.

H. 612. To require the Board of Pardons and Paroles to restore civil and political rights to any person applying therefor who submits

proof of good conduct for a period of not less than two years after termination of the sentence against him.

H. 598. To simplify and provide for the pleading, practice and procedure and proof in an action against a party, or against a party and his agent, servant or employee involving the act or conduct of any agent, servant or employee; repealing Act No. 670, H. 217, approved October 9, 1947 (General Acts of 1947, p. 513).

H. 579. To amend Section 214 of Title 26, Code of Alabama 1940, as amended, the same relating to disqualification for unemployment compensation benefits.

H. 578. To amend Section 289 of Title 26, Code of Alabama 1940, as amended, the same relating to the limitations or compensation under the workmen's compensation law.

H. 577. To amend Section 309 of Title 26, Code of Alabama 1940, as amended, the same relating to employers' rights to insure risks under the Workmen's Compensation Law.

H. 576. To amend Act No. 689 of the 1947 Legislature, entitled: "An Act to establish a special Trust Fund to be known as the Second Injury Trust Fund for the use and benefit of employees who suffer certain second injuries in the nature of permanent total disability, to require employers to pay into said Second Injury Trust Fund a lump sum certain upon the death of an employee covered by the Workmen's Compensation Law when there is no person entitled to workmen's compensation, to provide for the escheat to said Second Injury Trust Fund of judgments under the Employer's Liability Act if there is no person to whom the judgment may be paid, to authorize the Director of Industrial Relations to act as Trustee for said Fund, to authorize the State Treasury to act as Custodian of said Fund with power of investment and reinvestment of monies paid into said Fund, to authorize payments to be made therefrom for compensation for certain second injuries, and to provide a method for adjudicating claims made against the Trustee of said Fund."

H. 575. To amend Section 283 of Title 26, Code of Alabama 1940, as amended, the same relating to death compensation under the workmen's compensation law.

H. 574. To amend Section 279, Title 26, Code of Alabama 1940, as amended, which deals with the schedule of compensation under the Workmen's Compensation Law.

H. 573. To amend Section 293 of Title 26, Code of Alabama 1940, as amended, the same relating to medical, surgical and hospital service under the workmen's compensation law.

H. 572. To amend Section 213 of Title 26, Code of Alabama 1940, as amended, the same relating to benefit eligibility conditions for unemployment compensation.

H. 571. To amend Section 194 of Title 26, Code of Alabama 1940, as amended, the same pertaining to the definition of a "Benefit Year."

H. 570. To amend Section 292 of Title 26, Code of Alabama 1940, as amended, the same relating to the waiting period in temporary disability claims under the workmen's compensation law.

H. 569. To amend Section 287 of Title 26, Code of Alabama 1940, as amended, the same relating to the order in which total dependents take compensation under the workmen's compensation law.

H. 568. To amend Section 207, Title 26, Code of Alabama 1940, as amended, the same relating to weekly benefit amount, and 208, Title 26, Code of Alabama 1940, the same relating to weekly benefit for unemployment, both relating to unemployment compensation.

H. 564. To amend further Section 630 of Title 7, Code of Alabama (1940), which relates to the exemption of wages from garnishment or other process for the collection of debts.

H. 561. To authorize and provide for the establishment of a fund to be designated as the "Solicitor's Fund" for the Solicitor of the Sixth Judicial Circuit, to be drawn upon by the Circuit Solicitor of the Sixth Judicial Circuit, and to provide that the Solicitor's fees taxed in all criminal proceedings in the Circuit Court of Tuscaloosa County be paid into such fund for such purpose.

H. 368. To amend Act No. 376, S. 280, approved August 16, 1947 (General Acts, 1947, p. 267) which authorized and empowered governing bodies of municipal corporations, counties, city and county boards of education, and state agencies and institutions to obtain and maintain group life, health, accident and hospitalization insurance for the benefit of certain of its officers and employees; authorizing such bodies to provide insured retirement plans for certain of their officers and employees.

H. 294. TO AMEND: Section 713 of Article 5 of Chapter 14 of Title 7 of the Code of Alabama of 1940.

H. 192. Exempting from ad valorem taxation all non-producing interests upon oil, gas and other minerals, as herein defined, and also non-producing severed mineral and royalty interests therein, hereinafter created or transferred or hereafter registered, and also levying a county mineral documentary tax or transfer fee to be paid upon leases and instruments creating and transferring severed interests in non-producing oil, gas or other minerals, as herein defined.

S. 132. To create a lien in behalf of hospitals upon any cause of action accruing to any injured person to whom such hospital furnished care and treatment; to provide the means of perfecting said lien; to provide for the time in which such lien must be filed and suit brought thereon; to provide that no release or settlement of any such causes of action shall be effective as against such lien unless such hospital or its assignee shall join therein or execute a release therefor; to provide for the filing of such lien; to provide that acceptance of release or satisfaction of any cause of action, suit, claim, counter claim, demand or judgment and any settlement in absence of release or satisfaction of lien shall prima facie constitute impairment of such lien, and to give lien holder right of action at law for damages on account of such impairment, to provide for recovery from one accepting release or satisfaction or making settlement; to except monies due under the Workmen's Compensation Act from the provisions herein and repeal conflicting laws.

Mr. Brassell, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 615 (with amendment). Relating to insurance; regulating further the taking of applications for, and the issuance of receipts and individual policies of health, accident, accident and health, hospitalization and medical insurance.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 504. To amend Title 51, Section 122, as amended, of the Code of Alabama 1940.

H. 433. To amend Section 695 of Article 8 of Title 51 of the Code of Alabama of 1940.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 560 (with amendment). To authorize the cities and towns of the State of Alabama to levy and collect annually a license and registration fee on automobiles and motor vehicles owned or operated by the residents of the corporate limits of the several cities and towns and their respective police jurisdictions and to provide that the funds derived therefrom shall be used exclusively for the construction, improvement and maintenance of streets and bridges and administrative expenses in connection therewith including the retirement of bonds for the payment of which such revenues may have been pledged, and for no other purpose.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 563. To provide for the issuance of distinctive motor vehicle license plates or tags to members of the National Guard and Air National Guard of Alabama upon the payment of an additional sum of \$1.00 for use by such persons upon their personally-owned, private, passenger vehicles in lieu of the standard license plate or tag now required; and for the use of such distinctive plates by the State Military Department.

H. 613. Relating to the Fifth Judicial Circuit; Authorizing the circuit solicitor to appoint a stenographic secretary, and providing for the payment of such secretary's compensation by the counties composing the circuit.

Mr. Branyon Chairman of the Standing Committee on Constitution and Elections reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 483. To amend Section 398 of Title 51, Code of Alabama (1940), which relates to the rate of the income tax levied and imposed upon corporations.

Mr. Adams Chairman of the Standing Committee on Local Government reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 495 (with substitute). To amend further Section 105 of Title 37 of the Code of 1940 relating to compensation of commissioners.

Mr. Adams Chairman of the Standing Committee on Local Government reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 584 (with amendment). To provide for and authorize for any municipality in the State the incorporation of a board, as a public corporation, for the purpose of acquiring, owning, leasing, equipping, improving, maintaining, and enlarging a medical clinic within the municipality; to provide for the powers, authority, and duties of such board; to authorize each such board to borrow money and issue revenue bonds, payable solely from the rentals and other revenues derived from the medical clinic or its facilities financed by such bond issue; to authorize the board to pledge its rentals and other revenues for the payment of such bonds; to regulate the issuance, sale, and refunding of such bonds and other matters in connection therewith; to exempt from taxation the properties acquired under authority of this Act and the rentals thereof, the bonds and income therefrom, mortgages executed as security therefor, and lease agreements made hereunder; to provide that the bonds issued by such boards shall be legal investments for savings banks and insurance companies organized under the laws of Alabama; and to prescribe the purposes for which the proceeds derived from the sale of such bonds may be used.

Mr. Adams, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 369. To ratify, confirm, approve and validate all individual annuity contracts, retirement income policies, or group annuity contracts issued to any municipal corporation, county, city or county board of education, or any state agency or institution of education, learning, training or correction, or for the delinquent, insane, sick, deaf, dumb, blind, needy, juvenile or aged, for the benefit of its officers and employees; to ratify, confirm, approve and validate all acts done and premiums paid under such contracts and policies; to repeal all conflicting laws; to provide that the invalidity or unconstitutionality of any provision or application shall not affect other provisions or applications of the Act; and to fix the effective date of the Act.

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 634. To provide for and require the Tax Collector of Mobile County to pay into the County Treasury all taxes collected by him for Mobile County or on account of salary expenses, together with all fees, commissions, interest and penalties charged and/or collected by him by reason of any official act or for the performance of any service connected directly or indirectly with his said office, without any retention, withholding or deduction therefrom of any sum or sums for the payment of salaries of the Tax Collector and Tax Assessor of Mobile County, or for payment of the salaries of any employees or assistants of such Tax Collector and Tax Assessor; to provide how all such

salaries shall hereafter be paid, when this act shall take effect and to repeal those laws or parts of laws in conflict herewith.

H. 632. Relating to Marion County; to amend Section 5 of Act No. 58 adopted at the Second Special Session of the Legislature of Alabama of 1955 so as to change the method and purpose of distribution of the revenues arising from the tax levied by said act and so as to authorize the use and pledge of a portion thereof for the payment of the principal of and interest on certain securities which may be issued pursuant to law.

H. 633. Relating to Marion County: To authorize and direct the county governing body to call an election for the purpose of determining whether or not additional county privilege or excise taxes shall be imposed for the purposes designated in this Act; to authorize the levying of such taxes on bottled soft drinks and syrup used in making soft drinks; to impose duties and confer powers on the county governing body and the clerk thereof relative to the collection of such tax; to prescribe the method or manner of evidencing the payment of the tax; to provide for the distribution of revenues arising from the tax; to impose duties on manufacturers, bottlers, distributors and users of bottled soft drinks and syrup; and to prescribe penalties.

H. 629. Relating to Marion County: To authorize and direct the governing body of the county to call an election for the purpose of determining whether or not additional county privilege or excise taxes shall be imposed for the purposes specified in this Act; to authorize the levying of such taxes on chewing gum, candies and other enumerated snack-bar items; to charge the county governing body with the collection and enforcement of the tax and to authorize such governing body to prescribe procedure for exempting items sold for use outside the county from the tax; to require that stamps be affixed to these items to evidence the payment of the tax; to provide for the distribution of revenues arising from the tax; and to prescribe penalties for violations of the rules and regulations prescribed by the county governing body pursuant to this Act.

H. 631. Authorizing and specifying the procedure for the organization of the revenues arising from the tax; to impose duties on vendors, of acquiring, constructing, leasing, owning and operating irrigation projects, hydro-electric power producing projects, and selling water and water rights; granting certain other powers upon a corporation so created; authorizing the issuance of revenue bonds, and revenue refunding bonds, payable solely from the revenues of such projects for the purpose of paying the costs of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; providing that no bonds or other obligations of the corporation shall create a debt of the county, the State, or any political subdivision thereof; granting a corporation so created the right of eminent domain; and prescribing penalties for the violation of certain provisions of this Act.

H. 630. Relating to Marion County: To authorize and direct the county governing body to call an election for the purpose of determining whether or not additional county privilege or excise taxes shall be imposed for the purposes specified in this Act; to authorize the levying of such taxes on tobacco and certain tobacco products; to impose duties and confer powers on the county governing body, and the clerk thereof, relative to the collection of such tax; to prescribe the method or manner of evidencing the payment of the tax; to provide for the distribution of the revenues arising from the tax; to impose duties on vendors, storers and distributors of tobacco and tobacco products; and to prescribe penalties.

H. 636. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for public school purposes in Russell County; and authorizing the county and city boards of education, upon the levy of such special tax, to issue tax anticipation bonds, and to pledge the proceeds of the tax to the payment of the interest on and principal of such bonds.

The above bill was read a second time at length as required by the Constitution.

H. 652. To authorize and require the court of county commissioners, board of revenue, or like governing body of Wilcox County to pay the clerk hire of certain county officers out of the general fund in the county treasury.

H. 648. Proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Coffee County.

The above bill was read a second time at length as required by the Constitution.

S. 198. To amend Act No. 208, S. 182, approved June 22, 1943 (Local Acts, 1943, p. 110), which Act authorizes The Court of County Revenues of Dallas County, Alabama, to expend county funds for purposes not otherwise provided by law.

S. 186. To make it mandatory that all elections hereafter held in Madison County, or in any municipality or political subdivision thereof, must be conducted with the use of voting machines; repealing all laws, general, local, and special, in conflict with this Act.

S. 185. To authorize the Court of County Commissioners of Pike County, Alabama to provide a deputy circuit Clerk for Pike County, Alabama to be appointed by and to serve at the pleasure of the circuit clerk of Pike County, Alabama; to provide for the salary of such deputy to be determined by said Court of County Commissioners in an amount not exceeding \$1800.00 per year payable in equal monthly installments from the general fund of said county; and to provide that the said Court of County Commissioners of Pike County, Alabama shall have the full power and authority to revoke or suspend the provisions and allowances for the deputy circuit clerk at any time.

S. 184. Relating to Pike County; authorizing the Court of County Commissioners of said county, during such times as the Circuit Solicitor of the Twelfth Judicial Circuit shall not reside in said county, to provide a clerk for the Deputy Solicitor for Pike County; to provide for the appointment and term of office of said clerk, to fix the salary of said clerk and provide for the payment thereof.

Mr. Meeks, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 600. TO AMEND Section 4 and Section 7 of Act No. 929 of the regular session of the Legislature of Alabama of 1951 approved September 12, 1951 (Acts 1951, page 1579) entitled "AN ACT to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of

such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the board of health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Gregory (with notice and proof):

H. 657. Relating to Blount County: To regulate further the public school system of the county; to provide for the election of members of the county board of education; to fix their term of office; to prescribe their qualifications, duties and compensation; and to direct them to prescribe a school term in accordance with the wishes of patrons of such schools as shown by an election, hereby ordered, on the question of whether or not the public schools shall be operated for a term of consecutive months or a split term; repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 657:

STATE OF ALABAMA COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Blount County: To regulate further the public school system of the county; to provide for the election of members of the county board of education; to fix their term of office; to prescribe their qualifications, duties and compensation; and to direct them to prescribe a school term in accordance with the wishes of patrons of such schools as shown by an election, hereby ordered, on the question of whether or not the public schools shall be operated for a term of consecutive months or a split term; repealing conflicting laws.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. All members of the Board of Education of Blount County shall be nominated and elected by the electors of the county at large. Two members of the board shall be elected at the general election in 1956 and every four years thereafter; two members of the board shall be elected at the general election in 1958 and every four years thereafter; and one member shall be elected at the general election in 1960 and every four years thereafter. The incumbent members of the board shall hold their offices until their successors are elected as provided in this Act. Act No. 447, H. 584, approved August 17, 1951 (Acts of 1950-51, Vol. 1, p. 799) is superseded by this Act and is hereby expressly repealed.

Section 2. Members of the board shall be not less than thirty nor more than sixty-five years of age, and must have completed a high school education in addition to possessing the qualifications prescribed by the general law for members of county boards of education.

Section 3. The board shall meet at least once each month, and such monthly meetings shall be held on the first Monday of each month unless the board by resolution sets a different date. The board shall perform all duties required by general law of county boards of education and may hold such meetings, in addition to these regular monthly meetings, as the duties and business of the board may require. Each member of the board shall receive for his services as such member ten dollars (\$10.00) for each day that the board meets, and traveling expenses of ten cents (10c) per mile for the distance from his residence to each meeting of the board; provided however, the mileage shall be computed on the basis of transportation only one way and no member of the board shall receive compensation for more than twenty four days in any one year. The compensation and expenses of board members shall be paid from the public school funds of the county in the same manner as provided for the compensation of teachers.

Section 4. The board shall establish and maintain a shop or garage at the County Seat for the repair and maintenance of all the school buses owned by the county, and such shop shall be under the supervision of the county superintendent of education.

Section 5. The board shall prescribe the length of school sessions each year, but shall be guided by the wishes of the school patrons on the question of whether such sessions shall be of consecutive months or shall be split sessions. The wishes of the patrons shall be determined by an election to be held at the same time that the next primary election is held in Blount County. At the election the question of whether the respective schools of Blount County shall operate for a term of consecutive months or be split shall be submitted to a vote of the electors of the several school districts of the county. At such election all school patrons (for the purposes of this section "school patrons" shall mean qualified electors who are parents or guardians of a child or children entitled to be enrolled in a public school in Blount County shall be entitled to vote on the question of whether the particular school to which his child or ward is entitled to admission shall operate for a term of consecutive months or shall operate for a split term. If a majority of the school patrons of a public school district vote for a term of consecutive months the board shall operate the schools in that district for a term of consecutive months. If a majority of the school patrons vote for a split term, the board shall operate the schools in that district in such manner as to allow an interval or such intervals between parts of the session as suits the needs of that particular school district. The board shall request the county governing body to call the election on a day designated by the board, and the county governing body shall call the election and give notice thereof in the same manner prescribed for calling elections to determine whether special district school taxes shall be levied. The election shall be conducted, the votes canvassed, the results declared, and the cost thereof paid in the same manner prescribed for elections to determine whether or not special district school taxes shall be levied.

Section 6. Except as provided in this Act, the general law relative to county boards of education shall apply to and govern the board of education of Blount County.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this Act are repealed.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

9J4T

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 9, June 16, June 23, and June 30, all in the year 1955.

RICE M. HOWARD.

Sworn to and subscribed before me June 30, 1955.

MOLLY RYAN,
Notary Public.

By Mr. Gregory (with notice and proof):

H. 658. To amend further Act No. 345, H. 793, approved September 24, 1923 (Local Acts of Alabama, 1923, page 237) which relates to the election, duties, term of office and compensation of the county superintendent of education of Blount County.

Local Legislation No. 1.

Notice and Proof H. 658:

STATE OF ALABAMA
COUNTY OF BLOUNT

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 345, H. 793, approved September 24, 1923 (Local Acts of Alabama, 1923, page 237) which relates to the election, duties, term of office and compensation of the county superintendent of education of Blount County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 3 of Act No. 345, H. 793, approved September 24, 1923 (Local Acts of Alabama, 1923, page 237) "An Act to provide for the election of a county superintendent of education for Blount County, Alabama, by the qualified electors thereof; and to prescribe the duties and fix the term and compensation of such officer," is hereby amended to read as follows:

"Section 3. Such county superintendent of education must be a qualified elector of such county and possess all the other qualifications required under the general laws of this state for county superintendents of education; and he shall perform and discharge all the duties

of county superintendents of education, under the general laws of this State and in addition thereto he shall be the purchasing agent of the county board of education and county school system. Provided that if there be a vacancy in said office from any cause whatever, the county board is authorized to fill such vacancy as is provided by the general laws of this state."

Section 2. Section 4 of said Act No. 345, H. 793, approved September 24, 1923, as amended, is hereby further amended to read as follows

"Section 4. The county superintendent of education shall devote his entire time to the public school business of Blount County and shall receive a salary of four thousand eight hundred dollars (\$4,800) per year. The salary of the superintendent shall be paid in the same manner as is provided by the general laws of Alabama for the payment of salaries of county superintendents of education. In addition to the salary authorized by this Act, the County Board of Education of Blount County, Alabama, is empowered to fix, approve, and authorize the payment of traveling expenses not in excess of one thousand two hundred dollars (\$1,200) annually actually incurred by the county superintendent of education in the performance of his official duties within and without the county."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

9J4T

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 9, June 16, June 23, and June 30, all in the year 1955.

RICE M. HOWARD.

Sworn to and subscribed before me June 30, 1955.

MOLLY RYAN,
Notary Public.

By Messrs. Davis, McLendon, Stembridge and Brassell:

H. 659. To require railroads to erect or install a safety signal or warning device at each grade crossing of a public highway in this State; prescribing penalties.

Judiciary.

By Mr. Davis:

H. 660. To propose an amendment to the Constitution of Alabama relating to the costs and charges of courts and the offices and compensation of the circuit clerk and register of the circuit court of Cullman County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Steagall and Vacca:

H. 661. To permit an infant to hold stock or other securities in corporations, to exercise rights relating thereto, including the transfer of the same, and to protect corporations relying upon such action without actual notice of the infancy, and to permit infants to receive dividends on stock or other securities in corporations and to give complete acquittance and release therefor.

Judiciary.

By Mr. Law:

H. 662. Making it unlawful to sell, furnish, or give away any camphorated tincture of opium, a medicinal preparation commonly known as "paregoric," except upon written prescription of a lawfully authorized practitioner of medicine, dentistry, or veterinary medicine; prescribing penalties for violations of the Act.

Health.

By Messrs. Hawkins, Goodwyn, Hall, Nolen and Dawkins:

H. 663. For the relief of Luther Skinner Printing Company, a partnership composed of Luther Skinner, & Amos Wilson, of Montgomery County, Alabama, by appropriating \$5,000.00 as compensation for breach of contract made and entered into with the State of Alabama on or about, to-wit, the 5th day of September, 1952;

Ways and Means.

By Mr. Hawkins:

H. 664. Relating to professions and occupations; amending further Section 140 of Title 46, Code of Alabama (1940), which prescribes the qualifications of licensed engineers and land surveyors.

Judiciary.

By Mr. Hawkins:

H. 665. To appropriate out of any funds in the State Treasury not otherwise appropriated, the sum of \$35,000.00 to the Department of Finance — Mail and Supply Room to be used as a revolving fund for the payment of telephone bills for the State departments, boards, bureaus and agencies using the State central telephone system in the City of Montgomery; to provide for the expenditures therefrom and the reimbursement thereto.

Ways and Means.

By Mr. Hawkins:

H. 666. To amend Section 199 of Title 7, Code of Alabama (1940), which provides for the service of process on nonresident owner or operator of a motor vehicle through the Secretary of State.

Judiciary.

By Mr. Hawkins:

H. 667. TO AMEND: Section 90 of Article 2 of Chapter 2 of Title 61 of the Code of Alabama of 1940.

Judiciary.

By Messrs. Martin, Richardson, Ramey, Meeks and Vacca:

H. 668. To amend Section 153, Title 14, Code of Alabama 1940.

Judiciary.

By Messrs. Martin, Richardson, Ramey, Meeks and Vacca:

H. 669. To amend Section 151, Title 14, Code of Alabama 1940.

Judiciary.

By Messrs. Martin, Richardson, Ramey, Meeks and Vacca:

H. 670. To amend Sections 5, 6, 7 and 8 of Act No. 981, General Acts 1951, page 1655, entitled "An Act relating to criminal sexual psychopathic persons; providing for the commitment and treatment of such persons after their conviction of a sex offense, and prescribing the procedure therefor; and providing for the further disposition of such persons."

Judiciary.

By Messrs. Martin, Richardson, Ramey, Meeks and Vacca:

H. 671. To create a revolving fund in the Board of Corrections; to establish the amount of such fund; to authorize the Comptroller to issue warrants to establish and maintain said fund and to provide for the expenditures from such fund.

Judiciary.

By Messrs. Vacca, Brown (Lee), Stokes, Meeks, Speaks, Callahan, Harrison and Hodges:

H. 672. To amend Section 5 of Title 27 of the Code of Alabama of 1940, as heretofore amended so as to make provision for and to give and grant every legal right, privilege and obligation including the right of inheritance to real estate, and to the distribution of personal estate of an adopted child to the adopting parent or parents upon the death of such adopted child as if said child had been born to the adopting parents in lawful wedlock.

Judiciary.

By Messrs. Haltom, Brannan, Goodwyn, Nice, Broadfoot and Huddleston:

H. 673. To amend Section 128 of Title 5, Code of Alabama (1940), which relates to deposits of deceased persons.

Judiciary.

By Messrs. Broadfoot and Dement:

H. 674. To levy an excise tax on the storage, use, or other consumption of cigarettes; to provide for the payment and collection of the tax; and to dedicate the proceeds of the tax to the care, maintenance, and treatment of patients suffering from tuberculosis.

Ways and Means.

By Messrs. Fite, Money, Hanby, Burkhalter, Pirkle, Gregory, Lee (Lawrence), Brown (Lamar), Reynolds, Speaks, Cox, Jenkins and Dement:

H. 675. To amend Section 47, of Title 36, Code of Alabama 1940:

Judiciary.

By Messrs. Harrison, Dement, Locke (Choctaw), Lee (Barbour), Ramey, McLendon, Ward, Brown (Lee), Thomas, Brannan, Brassell, Johnson (Tallapoosa), deGraffenried, Ashworth, Vacca and Selman:

H. 676. To amend Sections 34 and 100 of Title 11, which relate to the fees and allowances of sheriffs.

Judiciary.

By Messrs. Harrison, Locke (Choctaw), Lee (Barbour), Ramey, Kendall, Dement, McLendon, Ward, Brown (Lee), Thomas, Brannan, Brassell, Johnson (Tallapoosa), Ashworth and Selman:

H. 677. To amend further Section 246 of Title 29, Code of Alabama, 1940, which relates to the sale of contraband property seized in connection with the enforcement of the liquor laws of the State.

Judiciary.

By Mr. Harvey:

H. 678. To appropriate for the relief of Robert Lee Johnson the sum of \$2,000.00 out of any funds in the State Treasury to the credit of the Alabama Board of Corrections as compensation for partial permanent disability incurred by him as a result of injuries received in an accident at Atmore Prison Farm on August 10, 1950 while an inmate thereof without fault on his part.

Ways and Means.

By Messrs. Selman and Shumate:

H. 679. To amend Section 38 of Title 14, Code of Alabama (1940), which relates to assaults or attempted felonies and fixes the punishment therefor, by providing that when trial is by jury the jury shall set the punishment.

Judiciary.

By Messrs. Selman and Shumate:

H. 680. To apply in all counties having a population of not less than 63,700 nor more than 70,000, according to the last or any subsequent federal decennial census; authorizing and directing the county governing body to provide the coroner with office space, certain equipment, furniture, supplies, and services at the expense of the county.

Local Legislation No. 1.

By Messrs. Selman and Shumate:

H. 681. To amend Section 11 of Title 19, Code of Alabama (1940), which relates to the appointment of commissioners in condemnation proceedings; requiring the judge of probate to appoint the members of the county board of equalization to serve as commissioners in any condemnation proceeding where the county is a party to such proceeding, in any county having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census.

Local Legislation No. 1.

By Messrs. Shumate and Selman:

H. 682. To amend further Sections 753, 755, 757 and 776, as amended, of Title 51, Code of Alabama (1940), which relate to the sales tax.

Ways and Means.

By Messrs. Goodwyn, Dawkins, Hall, Nolen, Kendall, Dickson, Brannan, Brown (Lee), Ward, Lee (Barbour), Stenbridge, Steagall, Hare, Edwards (Escambia), Bradford, Simon, Tyson, Harrison, Selman, Broadfoot, Dement, Haltom, Gilchrist, Davis, Lackey, Edwards (Jefferson), Lee (Lawrence), Vacca, Roberts, Brown (Lamar), Branyon, Crook, McLendon, Cornett, Stokes, Summerlin, Thomas, Franklin, Johnson (Elmore), Law, McNider, and Fite:

H. 683. Proposing an amendment to the Constitution of Alabama authorizing the Legislature to levy and collect a school tax on incomes from whatever source derived within this State, fixing the rates at which the tax may be levied, and dedicating the proceeds thereof for public school purposes.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Davis, Dawkins and Pirkle:

H. 684. To amend Title 36, Section 94, Code of Alabama of 1940, as amended, which relates to exemptions as to length — to provide for return trips.

Conservation.

By Mr. Locke (Perry):

H. 685. To amend Section 211 of Title 41, Code of Alabama (1940) which relates to contracts between county officers and the county.

Local Government.

By Mr. Albea:

H. 686. To amend further Section 996 of Title 7 of the Code of Alabama (1940), which relates to process of garnishment.

Judiciary.

BILLS ON THIRD READING

H. 596. To authorize and provide for the establishment, maintenance, operation and financing of a public law library in Etowah County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kirkham	Payne
Adams	Faulk	Lackey	Ramey
Albea	Ferrell	Law	Reynolds
Ashworth	Franklin	Lee (Barbour)	Richardson
Bassett	Gregory	Lee (Lawrence)	Roberts
Boyd	Hain	Locke (Perry)	Selman
Eranyon	Hall	Love	Shumate
Brassell	Haltom	McClendon	Simon
Broadfoot	Hanby	McKay	Solomon
Brooks	Hardy	McLendon	Speaks
Brown (Lamar)	Harrison	McNider	Steagall
Burkhalter	Harvey	Meeks	Stembridge
Callahan	Hawkins	Molette	Stokes
Cornett	Hodges	Money	Summerlin
Cox	Holliman	Murphy	Thomas
Crook	Huddleston	Nettles	Tyson
Davis	Hunt	Nice	Vacca
Dement	Jenkins	Nolen	Ward
DeSear	Johnson (Elmore)	Oakley	Windle
Dickson	Kendall	Oden	Wood
Edwards (Escambia)			

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And the bill:

H. 593. Relating to Baldwin County: To provide that State witness compensation fees and mileage for witnesses appearing before the Grand Jury or testifying in criminal cases in the Circuit Court of The County Court of Baldwin County shall be payable out of the Fine and Forfeiture Fund of said county; to provide for the transfer of all State witnesses' fees collected by the Clerk of the Circuit Court or the County Court of Baldwin County to the Fine and Forfeiture Fund; to provide for the

registration of witnesses' script heretofore or hereafter issued and for the order of payment thereof.

Was taken up.

Mr. Brannan offered the following substitute for the bill, H. 593:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Baldwin County: To provide that fees and mileage for state witnesses appearing before the grand jury or testifying in criminal cases in the Circuit Court or the County Court of Baldwin County shall be payable out of the Fine and Forfeiture Fund of said County; to provide for the transfer of all state witnesses' fees collected by the Clerk of the Circuit Court or of the County Court of Baldwin County to the Fine and Forfeiture Fund; to provide for the registration of witnesses' scrip heretofore or hereafter issued and for the order of payment thereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That when any person is subpoenaed as a witness before the grand jury of Baldwin County in a criminal case, and procures a certificate of his attendance before the grand jury as a witness signed by the foreman of the grand jury, said certificate shall be payable upon due presentation by said person, by the depository or treasurer of said county out of the Fine and Forfeiture Fund of said county.

Section 2. That when any person appears as a state witness in a criminal case either in the Circuit Court or the County Court of Baldwin County, Alabama, and procures a certificate of attendance signed by the clerk of said court, said certificate shall be payable upon due presentation by the depository or treasurer of said county out of the Fine and Forfeiture Fund of said county.

Section 3. The compensation, fees and mileage allowed by law to witnesses summoned before the grand jury and to witnesses summoned on behalf of the State in the Circuit Court and County Court of Baldwin County shall be taxed against the defendant as a part of the costs, as provided by law, and when collected shall be covered into the Fine and Forfeiture Fund of the county. In the event that the Fine and Forfeiture Fund should become insolvent or there be a deficit in such fund, then the County Treasurer or county depository shall keep a register of all witness scrip presented to him for witness compensation, fees and mileage payment of which is provided hereunder, and each witness certificate shall be registered therein showing the date filed, certificate number, name of witness and the amount of such certificate; provided however, that when any witness fees are collected the same shall be paid over to the witness on behalf of whom the same were taxed and collected, if his claim therefor shall not have been previously paid.

Section 4. That it shall be the duty of the Clerk of the Circuit Court of Baldwin County and the Clerk of the County Court of Baldwin County, upon the effective date of this act, to immediately transfer any and all moneys collected by said Clerk for the payment of state witness fees, either before the grand jury, Circuit Court or County Court, to the Fine and Forfeiture Fund of said County. Such claims, script or certificates issued by the Clerk of Circuit Court or County Court shall be endorsed for payment on the back of the same by the Clerk of the Circuit Court or the Clerk of the County Court; said en-

dorsement for payment shall be signed by the said Clerk and dated and shall certify that the same is a proper claim and payable.

Section 5. That all valid claims, script and certificates heretofore or hereafter issued to witnesses summoned on behalf of the State before the grand jury, Circuit Court or County Court of Baldwin County, Alabama, be and the same are made payable by the County Treasurer of Baldwin County out of the Fine and Forfeiture Fund of said county upon due presentation thereof.

Section 6. This act shall not be construed so as to reduce in any way the commission or fees of the Clerk of the Circuit Court of Baldwin County, the Clerk of the County Court, or the sheriff of Baldwin County, Alabama, or the payment thereof, and such fees shall be payable in the same amount as now provided by law.

Section 7. That all laws, general, local and special, in conflict with the provisions hereof be and the same are hereby expressly repealed. Provided however, this act shall not operate to repeal any local law regulating the Fine and Forfeiture Fund of Baldwin County and providing for the payment of salaries of deputy sheriffs therefrom.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Killough	Payne
Adams	Edwards (Jefferson)	Kirkham	Perry
Albea	Faulk	Lackey	Pirkle
Ashworth	Ferrell	Law	Pruitt
Bassett	Franklin	Lee (Barbour)	Ramey
Boyd	Gist	Lee (Lawrence)	Reynolds
Bradford	Gregory	Locke (Perry)	Richardson
Brannan	Grouby	Love	Roberts
Branyon	Hain	McClendon	Selman
Brassell	Hall	McKay	Shumate
Brewer	Haltom	McLendon	Simon
Broadfoot	Hanby	McNider	Solomon
Brooks	Hardy	Martin	Steagall
Brown (Lamar)	Harvey	Meeks	Stembridge
Burkhalter	Hawkins	Molette	Stokes
Callahan	Hodges	Money	Summerlin
Cornett	Holliman	Murphy	Taylor
Cox	Huddleston	Nettles	Thomas
Crook	Jenkins	Nice	Tyson
Davis	Johnson (Elmore)	Nolen	Ward
Dement	Johnson (Tallapoosa)	Oakley	Windle
DeSear	Kendall	Oden	Wood
Dickson			

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And said bill, H. 593, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Ashworth	Boyd	Brannan
Albea	Bassett	Bradford	Branyon

Brassell	Grouby	Lee (Barbour)	Pruitt
Brewer	Hain	Lee (Lawrence)	Ramey
Broadfoot	Hall	Locke (Perry)	Reynolds
Brooks	Haltom	Love	Richardson
Brown (Lamar)	Hanby	McClendon	Selman
Callahan	Hardy	McKay	Shumate
Cornett	Harrison	McLendon	Simon
Cox	Harvey	McNider	Solomon
Crook	Hawkins	Martin	Steagall
Davis	Hodges	Molette	Stembridge
Dement	Holliman	Money	Stokes
DeSear	Huddleston	Murphy	Summerlin
Dickson	Hunt	Nettles	Taylor
Edwards (Escambia)	Jenkins	Nice	Thomas
Edwards (Jefferson)	Johnson (Elmore)	Nolen	Tyson
Ferrell	Kendall	Oakley	Vacca
Franklin	Killough	Oden	Ward
Gilchrist	Kirkham	Payne	Windle
Gist	Lackey	Perry	Wood
Gregory	Law	Pirkle	

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And the bill:

H. 609. Relating to Wilcox County; regulating further the attendance of children at school; prescribing the duties of the county board of education in connection with the administration of the Act; and providing that the Act shall become effective if and when compulsory segregation of the races in the public schools of Wilcox County is invalidated by a judgment, order, or decree of a court of competent jurisdiction.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Killough	Oden
Adams	Faulk	Kirkham	Payne
Albea	Ferrell	Lackey	Perry
Bassett	Franklin	Law	Pirkle
Boyd	Gilchrist	Lee (Barbour)	Pruitt
Bradford	Gist	Lee (Lawrence)	Ramey
Brannan	Grouby	Locke (Perry)	Reynolds
Branyon	Hain	Love	Richardson
Brassell	Hall	McClendon	Selman
Brewer	Haltom	McKay	Shumate
Broadfoot	Hanby	McLendon	Simon
Brooks	Hardy	McNider	Speaks
Brown (Lamar)	Harrison	Martin	Steagall
Burkhalter	Harvey	Mathews	Stokes
Callahan	Hawkins	Meeks	Summerlin
Cornett	Hodges	Molette	Taylor
Cox	Holliman	Murphy	Thomas
Crook	Huddleston	Nettles	Tyson
Davis	Hunt	Money	Vacca
Dement	Jenkins	Oakley	Ward
DeSear	Johnson (Elmore)	Nice	Windle
Dickson	Johnson (Tallapoosa)	Nolen	Wood
Edwards (Escambia)	Kendall		

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And the bill:

H. 580. To amend an Act entitled "An Act to further provide for and regulate the selection, qualification and election of the members of the Board of Education of Marengo County," approved July 8, 1935 (Act No. 183, S. 234, Local Acts of Alabama, 1935, p. 106).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	DeSear	Johnson (Tallapoosa)	Oakley
Adams	Dickson	Kendall	Oden
Albea	Edwards (Escambia)	Killough	Payne
Ashworth	Edwards (Jefferson)	Kirkham	Pirkle
Bassett	Faulk	Lackey	Ramey
Boyd	Ferrell	Lee (Barbour)	Reynolds
Bradford	Franklin	Lee (Lawrence)	Selman
Brannan	Gilchrist	Locke (Perry)	Shumate
Branyon	Gist	Love	Simon
Brassell	Grouby	McClendon	Solomon
Brewer	Hain	McKay	Speaks
Broadfoot	Hall	McLendon	Steagall
Brooks	Haltom	McNider	Stembridge
Brown (Lamar)	Hanby	Martin	Stokes
Brown (Lee)	Hardy	Mathews	Summerlin
Burkhalter	Harvey	Meeks	Taylor
Callahan	Hawkins	Molette	Thomas
Cornett	Hodges	Money	Tyson
Crook	Holliman	Murphy	Vacca
Davis	Huddleston	Nettles	Ward
deGraffenried	Hunt	Nice	Windle
Dement	Jenkins	Nolen	Wood

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And the bill:

H. 606. To amend further Section 8 of an act "to create and establish in Mobile County, Alabama, a county wide Civil Service System" approved September 15, 1939 (Local Acts, 1939, page 298).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Brown (Lamar)	Edwards (Jefferson)	Harvey
Adams	Brown (Lee)	Faulk	Hawkins
Albea	Burkhalter	Ferrell	Hodges
Ashworth	Callahan	Franklin	Huddleston
Bassett	Cornett	Gilchrist	Hunt
Boyd	Cox	Gist	Jenkins
Bradford	Crook	Grouby	Johnson (Tallapoosa)
Brannan	Davis	Hain	Kendall
Branyon	deGraffenried	Hall	Killough
Brassell	Dement	Haltom	Kirkham
Brewer	DeSear	Hanby	Lackey
Broadfoot	Dickson	Hardy	Lee (Barbour)
Brooks	Edwards (Escambia)	Harrison	Lee (Lawrence)

Locke (Perry)	Murphy	Ramey	Stembridge
Love	Nettles	Reynolds	Stokes
McClendon	Nice	Richardson	Summerlin
McKay	Nolen	Roberts	Taylor
McLendon	Oakley	Selman	Thomas
McNider	Oden	Shumate	Tyson
Martin	Payne	Simon	Vacca
Mathews	Perry	Solomon	Ward
Molette	Pirkle	Speaks	Windle
Money	Pruitt	Steagall	Wood

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the Resolution:

S. J. R. 41 — Relative to allowing Four Dollars per day additional pay to certain officers of the Legislature.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 42 — Memorializing Congress to enact into law H. R. 288, creating a Military Park at the site of the Battle of Horseshoe Bend.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

S. 112. To amend Section 6 (e) (1) of Act No. 48, H. B. 34, approved November 3, 1950 entitled "An Act To provide old-age and survivors insurance for certain officers and employees of the State and local governments and making appropriations therefor and to repeal Act No. 990 approved September 12, 1951."

said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am transmitting to you a message from the Governor relative to Senate Bill No. 112.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

JULY 6, 1955

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 112, with a suggested executive amendment, as follows:

Amend said Senate Bill No. 112 by striking therefrom Section 3 in its entirety and substituting in lieu thereof, the following:

"Section 3. This act shall be retroactive as of July 1, 1955."

The suggested amendment is made with the full knowledge and approval and at the request of the author of said bill, and if adopted will remove my objection to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

And the Senate has concurred in and adopted the amendment proposed by the Governor to the Bill, SB 112, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 34, Nays 0.

And said Bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 34, Nays 0.

And said Bill, SB 112, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the House for its consideration.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, S. 112, said Governor's amendment being set out in the above and foregoing Message from the Senate.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Davis	Holliman	McNider
Albea	deGraffenried	Huddleston	Martin
Ashworth	Dement	Hunt	Mathews
Bassett	Dickson	Jenkins	Meeks
Boyd	Edwards (Escambia)	Johnson (Tallapoosa)	Molette
Bradford	Edwards (Jefferson)	Kaul	Murphy
Brannan	Ferrell	Kendall	Nettles
Branyon	Franklin	Kirkham	Nolen
Brassell	Goodwyn	Lackey	Oden
Broadfoot	Grouby	Law	Payne
Brooks	Hain	Lee (Barbour)	Reynolds
Brown (Lamar)	Hall	Lee (Lawrence)	Richardson
Burkhalter	Haltom	Locke (Perry)	Selman
Callahan	Hardy	Love	Shumate
Cornett	Harvey	McClendon	Simon
Cox	Hawkins	McKay	Solomon
Crook	Hodges	McLendon	Speaks

Steagall	Summerlin	Tyson	Ward
Stembridge	Taylor	Vacca	Wood
Stokes	Thomas		

—78

Which was a majority of the whole number elected to the House.

And said bill:

S. 112. To amend Section 6 (e) (1) of Act No. 48, H. B. 34, approved November 3, 1950 entitled "An Act To provide old-age and survivors insurance for certain officers and employees of the State and local governments and making appropriations therefor and to repeal Act No. 990 approved September 12, 1951."

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dement	Kaul	Payne
Adams	Dickson	Kendall	Perry
Albea	Edwards (Escambia)	Kirkham	Pirkle
Ashworth	Edwards (Jefferson)	Lackey	Reynolds
Bassett	Ferrell	Law	Richardson
Boyd	Franklin	Lee (Barbour)	Selman
Bradford	Gilchrist	Lee (Lawrence)	Shumate
Brannan	Grouby	Locke (Perry)	Simon
Branyon	Hain	Love	Solomon
Brassell	Hall	McClendon	Speaks
Brewer	Haltom	McKay	Steagall
Broadfoot	Hardy	McLendon	Stembridge
Brooks	Harrison	Martin	Stokes
Brown (Lamar)	Harvey	Mathews	Summerlin
Brown (Lee)	Hawkins	Meeks	Taylor
Burkhalter	Hodges	Molette	Thomas
Cornett	Holliman	Money	Tyson
Cox	Huddleston	Murphy	Vacca
Crook	Hunt	Nettles	Ward
Davis	Jenkins	Nolen	Wood
deGraffenried	Johnson (Tallapoosa)	Oakley	

—83

Which was a majority of the whole number elected to the House.

BILLS ON THIRD READING RESUMED

H. 98 (with substitute). To amend Section 38, Title 8, of the Alabama Code of 1940, relating to licenses for fishing on waters of this State.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Conservation, said committee substitute being as follows:

COMMITTEE SUBSTITUTE TO HOUSE BILL 98

A BILL TO BE ENTITLED AN ACT

To amend Section 38 of Title 8, Code of Alabama 1940, relating to licenses for fishing in waters of this State.

BE IT ENACED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 38 of Title 8, Code of Alabama 1940, be and the same is hereby amended so as to read as follows:

"Section 38. No resident of this State between the ages of sixteen and sixty-five shall take, catch, kill or attempt to take, catch or kill any fish in any of the waters of this State, in which fresh water fish appear, by angling with rod and reel or by use of any artificial bait, fly or lure without first procuring a fishing license and paying therefor the sum of two dollars. No resident of this State between the ages of sixteen and sixty-five shall take, catch, kill or attempt to take, catch or kill any fish in any of the waters of this State, in which fresh water fish appear, by angling with a hook and line without first procuring a fishing license and paying therefor the sum of one dollar. Any resident who procures a rod and reel license, however, shall be entitled to fish with a hook and line without the necessity of procuring an additional license. These licenses shall be issued in the manner and under the conditions, limitations and exemptions as expressly provided for in this Act.

"Such fishing licenses shall not be transferable and it shall be unlawful to borrow, lend or alter any such fishing license or for any license issuing officer to back-date any such license at the time of issuing same.

"Any citizen of this State who is entitled to purchase a fishing license as herein provided for may procure such license by applying to any judge of probate, license commissioner or other persons authorized and designated to issue fishing licenses, stating his or her name, age, color, place of residence and post office address and paying to such issuing officer the amount required herein for such license. Judges of probate, license commissioners or other persons authorized and designated to issue fishing licenses shall be entitled to a fee of fifteen cents for each license so issued, which fee shall be in addition to the amount designated in this Act as the cost of such license. Provided, however, that all fees collected by any probate judge or license commissioner who is paid a salary for the performance of his duties shall be paid by him into the County Treasury to the credit of the appropriate Fund.

"All persons under the age of sixteen years shall be exempted from the requirement of procuring such license. Any citizen of this State over sixty-five years of age shall be exempted from the requirement of procuring a fishing license as provided for herein upon payment of an issuing fee not to exceed fifteen cents to any judge of probate or license commissioner and, upon satisfactory proof to such judge of probate or license commissioner that he or she has attained the age of sixty-five years, an exempted fishing license will thereupon be issued to such person. Such exempted license issued to any citizen of this State who has attained the age of sixty-five years shall be issued upon a lifetime basis and without further requirements for annual renewal. In the event such license is lost, such citizen may acquire a similar license by paying to any judge of probate or license commissioner an issuing fee not to exceed fifteen cents and upon again presenting satisfactory proof that he or she has attained the age of sixty-five years.

"The license required by this Section shall not apply to persons fishing with an ordinary hook and line in his or her county of residence or within one hundred yards of his or her resident county boundary line nor shall it include any person or member of his immediate family who fishes on or from lands owned by him nor shall it include any tenant or member of his immediate family who fishes on or from lands leased or rented by such tenant and who resides on such lands. Provided, however, any person who fishes with ordinary hook and line in his own county of residence shall be required to have on his person, while so fishing, reasonable proof of said residency in such county.

The revenue derived from the sale of the license provided for in this Act shall be remitted to the Department of Conservation on the first day of each month by the issuing officer and shall be covered into the State Treasury to the credit of the Game and Fish Fund and shall be used in the construction, maintenance, development and supervision of public fishing lakes and for the purchase of lands to be used for public landings on public streams and for the development, protection, propagation and distribution of fish and wildlife of this State.

"Any person who violates any of the provisions of this Act shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed twenty-five dollars for each offense."

Section 2. All laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This Act shall become effective October 1, 1955.

The motion of Mr. McKay to lay on the table the substitute reported by the Standing Committee on Conservation was lost.

And the motion of Mr. Lee (Barbour) to indefinitely postpone the bill, H. 98, and pending substitute, was lost.

Yeas 20; Nays 73.

Yeas:

Messrs.	Faulk	Johnson (Tallapoosa)	Molette
Adams	Franklin	Lee (Barbour)	Perry
Albea	Gilchrist	Locke (Perry)	Richardson
Brown (Lee)	Grouby	McClendon	Solomon
Callahan	Hardy	McKay	Thomas
DeSear			

—20

Nays:

Mr. Speaker	Dickson	Kelly	Payne
Ashworth	Edwards (Escambia)	Kendall	Pirkle
Bassett	Edwards (Jefferson)	Killough	Pruitt
Boyd	Ferrell	Kirkham	Reynolds
Bradford	Gregory	Lackey	Roberts
Brannan	Hain	Law	Selman
Branyon	Hall	Lee (Lawrence)	Shumate
Brassell	Haltom	Love	Simon
Brewer	Hanby	McLendon	Speaks
Broadfoot	Harrison	McNider	Steagall
Brooks	Harvey	Meeks	Stembridge
Brown (Lamar)	Hawkins	Money	Stokes
Burkhalter	Hodges	Murphy	Summerlin
Cornett	Holliman	Nettles	Taylor
Crook	Huddleston	Nice	Tyson
Davis	Jenkins	Nolen	Vacca
Dawkins	Johnson (Elmore)	Oakley	Windle
deGraffenried	Kaul	Oden	Wood
Dement			

—73

The question was upon the adoption of the substitute reported by the Standing Committee on Conservation, and said substitute was adopted.

Yeas 77; Nays 19.

Yeas:

Mr. Speaker	Edwards (Escambia)	Killough	Payne
Bassett	Edwards (Jefferson)	Kirkham	Perry
Boyd	Ferrell	Lackey	Pirkle
Bradford	Goodwyn	Law	Pruitt
Brannan	Gregory	Lee (Lawrence)	Reynolds
Branyon	Hain	McClendon	Roberts
Brassell	Hall	McKay	Selman
Brewer	Haltom	McLendon	Shumate
Broadfoot	Hanby	McNider	Simon
Brooks	Harrison	Martin	Speaks
Brown (Lamar)	Harvey	Mathews	Steagall
Burkhalter	Hawkins	Meeks	Stembridge
Cornett	Hodges	Money	Stokes
Cox	Holliman	Murphy	Taylor
Crook	Huddleston	Nettles	Tyson
Davis	Hunt	Nice	Vacca
Dawkins	Jenkins	Nolen	Ward
deGraffenried	Johnson (Elmore)	Oakley	Windle
Dement	Kaul	Oden	Wood
Dickson	Kelly		

—77

Nays:

Messrs.	Callahan	Grouby	McKay
Adams	DeSear	Hardy	Molette
Albea	Faulk	Johnson (Tallapoosa)	Richardson
Ashworth	Franklin	Lee (Barbour)	Solomon
Brown (Lee)	Gilchrist	Locke (Perry)	Thomas

—19

Mr. Harrison offered the following amendment to the bill, H. 98, as amended:

Amend Committee Substitute to House Bill 98 by striking the words "one hundred yards" where they appear in the 6th paragraph of Section 38 therein and by inserting in lieu thereof the following words "one mile".

And the amendment was adopted.

Yeas 94; Nays 2.

Yeas:

Mr. Speaker	Cornett	Hain	Kelly
Adams	Cox	Hall	Kendall
Albea	Crook	Haltom	Killough
Ashworth	Davis	Hanby	Kirkham
Bassett	Dawkins	Hardy	Lackey
Boyd	deGraffenried	Harrison	Law
Bradford	DeSear	Harvey	Lee (Lawrence)
Brannan	Dickson	Hawkins	Locke (Perry)
Branyon	Edwards (Escambia)	Hodges	Love
Brassell	Edwards (Jefferson)	Holliman	McClendon
Brewer	Faulk	Huddleston	McKay
Broadfoot	Ferrell	Hunt	McLendon
Brooks	Franklin	Jenkins	McNider
Brown (Lamar)	Gilchrist	Johnson (Elmore)	Martin
Burkhalter	Gregory	Johnson (Tallapoosa)	Mathews
Callahan	Grouby	Kaul	Meeks

Molette	Payne	Simon	Taylor
Money	Perry	Solomon	Thomas
Murphy	Pirkle	Speaks	Tyson
Nettles	Pruitt	Steagall	Vacca
Nice	Reynolds	Stembridge	Ward
Nolen	Richardson	Stokes	Windle
Oakley	Selman	Summerlin	Wood
Oden	Shumate		

—94

Nays: Messrs. Dement and Lee (Barbour).

—2

Mr. Lee (Barbour) offered the following amendment to the bill, H. 98, as amended:

AMENDMENT TO HOUSE BILL 98

Section 38 is hereby amended by striking therefrom the following line, "no resident of this State between the ages of sixteen and sixty five shall take, catch, kill or attempt to take, catch or kill any fish in any of the waters of this state with a hook and line without first procuring a fishing license and paying therefor the sum of one dollar."

On motion of Mr. Wood the amendment offered by Mr. Lee (Barbour) was laid upon the table.

And said bill, H. 98, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 20.

Yeas:

Mr. Speaker	Edwards (Escambia)	Kelly	Payne
Bassett	Edwards (Jefferson)	Kendall	Perry
Boyd	Ferrell	Killough	Pirkle
Bradford	Goodwyn	Kirkham	Pruitt
Brannan	Gregory	Lackey	Reynolds
Branyon	Hain	Law	Roberts
Brassell	Hall	Lee (Lawrence)	Selman
Brewer	Haltom	Love	Shumate
Broadfoot	Hanby	McLendon	Simon
Brooks	Hare	McNider	Speaks
Brown (Lamar)	Harrison	Martin	Steagall
Burkhalter	Harvey	Mathews	Stembridge
Cornett	Hawkins	Meeks	Stokes
Cox	Hodges	Money	Summerlin
Crook	Holliman	Murphy	Taylor
Davis	Huddleston	Nettles	Tyson
Dawkins	Hunt	Nice	Vacca
deGraffenried	Jenkins	Nolen	Windle
Dement	Johnson (Elmore)	Oakley	Wood
Dickson	Kaul	Oden	

—79

Nays:

Messrs.	Brown (Lee)	Franklin	Johnson (Tallapoosa)
Adams	Callahan	Gilchrist	Lee (Barbour)
Albea	DeSear	Grouby	Locke (Perry)
Ashworth	Faulk	Hardy	McClendon

McKay
Molette

Richardson

Solomon

Thomas

—20

On motion of Mr. Wood, his motion to reconsider the vote by which the bill, H. 98, as amended, was passed, was laid upon the table.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 9. To regulate further the compensation of the judges of the circuit courts in all circuits composed of two counties when the judge is required by law to hold at least two terms of court at two different places in at least one of such counties during any one year; providing for a supplement to the salary of the judge payable by the counties composing the circuit.

Also:

S. 157. Proposing an amendment to the Constitution of Alabama relating to the compensation of the register of the circuit court of Clarke County.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 39. Relative to placing milk vending machines in the rotunda of the Capitol and other state office buildings.

Also:

S. J. R. 41. Relative to additional compensation for certain officers of the Legislature.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles to which are set out in the above and foregoing Message from the Senate.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Nettles to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 296, was lost.

Yeas 64; Nays 29.

Yeas:

Messrs.	Faulk	Kendall	Nettles
Adams	Franklin	Killough	Oakley
Albea	Gilchrist	Kirkham	Payne
Ashworth	Grouby	Lackey	Perry
Bassett	Hain	Law	Pirkle
Boyd	Hardy	Lee (Barbour)	Pruitt
Bradford	Harrison	Locke (Perry)	Ramey
Brannan	Harvey	Love	Reynolds
Brooks	Hodges	McClendon	Richardson
Brown (Lee)	Holliman	McKay	Solomon
Callahan	Huddleston	McLendon	Stokes
Cox	Hunt	McNider	Summerlin
Crook	Jenkins	Martin	Taylor
deGraffenried	Johnson (Elmore)	Mathews	Thomas
DeSear	Johnson (Tallapoosa)	Meeks	Tyson
Dickson	Kaul	Molette	Windle
Edwards (Jefferson)			

—64

Nays:

Mr. Speaker	Dement	Hawkins	Selman
Branyon	Edwards (Escambia)	Kelly	Shumate
Brassell	Ferrell	Lee (Lawrence)	Simon
Brewer	Goodwyn	Murphy	Speaks
Brown (Lamar)	Gregory	Nice	Steagall
Burkhalter	Haltom	Nolen	Stembridge
Davis	Hanby	Oden	Vacca
Dawkins			

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MOTION TO ADJOURN LOST

The motion of Mr. Thomas to adjourn until Tuesday, July 12, 1955, at eleven o'clock A.M. was lost.

NOTICE IN WRITING

Mr. Stokes offered the following Notice in Writing:

Notice is hereby given pursuant to Rule 42 that on the next legislative day a motion will be made to direct the House Committee on Constitution and Elections to act on S. B. 52 (relating to the placement of children in schools), which has been referred to that committee, and to report the bill to the House at its next sitting.

NOTICE IN WRITING BY MR. STOKES

Received, read and ordered filed.

BILLS ON THIRD READING RESUMED

H. 350 (with amendment). To fix the compensation of certain State Officers.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

WAYS AND MEANS COMMITTEE AMENDMENT TO H. B. 350

Amend H. B. 350 by adding Section 3 thereto to read as follows:

"The provisions of this Act shall not become effective until the beginning of the next terms of office of said officers."

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Johnson (Tallapoosa)	Nice
Adams	Faulk	Kaul	Oakley
Ashworth	Ferrell	Kelly	Oden
Boyd	Franklin	Kendall	Payne
Bradford	Gilchrist	Kirkham	Perry
Brannan	Gregory	Lackey	Pirkle
Branyon	Grouby	Law	Pruitt
Brassell	Hain	Lee (Lawrence)	Ramey
Brewer	Haltom	Love	Reynolds
Brown (Lamar)	Hanby	McClendon	Selman
Brown (Lee)	Hardy	McKay	Shumate
Burkhalter	Harrison	McLendon	Simon
Callahan	Harvey	McNider	Solomon
Cox	Hawkins	Martin	Speaks
Crook	Hodges	Mathews	Steagall
Davis	Holliman	Meeks	Stembridge
deGraffenried	Huddleston	Molette	Summerlin
Dement	Hunt	Money	Taylor
Dickson	Jenkins	Murphy	Vacca
Edwards (Escambia)	Johnson (Elmore)	Nettles	Ward

—80

And said bill, H. 350, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 13.

Yeas:

Mr. Speaker	Dickson	Hunt	Nolen
Adams	Edwards (Escambia)	Johnson (Elmore)	Payne
Ashworth	Edwards (Jefferson)	Kaul	Perry
Bradford	Faulk	Kelly	Pruitt
Branyon	Ferrell	Kendall	Reynolds
Brassell	Franklin	Lackey	Selman
Brewer	Gilchrist	Law	Shumate
Brooks	Grouby	Lee (Barbour)	Simon
Brown (Lee)	Hain	Lee (Lawrence)	Solomon
Burkhalter	Hall	Love	Speaks
Callahan	Haltom	McKay	Stembridge
Cornett	Hanby	McLendon	Stokes
Cox	Harrison	Mathews	Tyson
Crook	Harvey	Meeks	Vacca
Davis	Hawkins	Money	Ward
Dawkins	Hodges	Murphy	Windle
deGraffenried	Holliman	Nettles	Wood
Dement	Huddleston		

—70

Nays:

Messrs.	Johnson (Tallapoosa)	McNider	Pirkle
Boyd	Kirkham	Oakley	Richardson
Brown (Lamar)	Locke (Perry)	Oden	Summerlin
DeSear	McClendon		

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**REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 42. Relative to the establishment of a National Military Park at Horseshoe Bend in Tallapoosa County, Alabama.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolution hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:13 A. M. On July 8, 1955

H. 269**H. 271****H. 457****H. 463****H. 466****H. 467****H. 468****H. 469****H. 491**

Delivered to the Secretary of State at 11:16 A. M. July 8, 1955

H. 390**H. 492**

Delivered to the Governor at 12:05 P. M. July 8, 1955

H. J. R. 42

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Thomas the House adjourned until Tuesday, July 12, 1955, at eleven o'clock A. M.

Yeas 62; Nays 18.

Yeas:

Messrs.	Gilchrist	Kaul	Perry
Ashworth	Goodwyn	Killough	Pirkle
Boyd	Grouby	Kirkham	Pruitt
Bradford	Hain	Lackey	Ramey
Branyon	Hall	Lee (Barbour)	Reynolds
Brewer	Hardy	Lee (Lawrence)	Selman
Brown (Lamar)	Hare	Locke (Perry)	Shumate
Brown (Lee)	Harrison	McClendon	Simon
Callahan	Harvey	McKay	Solomon
Cornett	Hodges	McLendon	Steagall
Cox	Holliman	McNider	Summerlin
deGraffenried	Huddleston	Martin	Thomas
DeSear	Hunt	Meeks	Tyson
Dickson	Jenkins	Molette	Vacca
Edwards (Escambia)	Johnson (Elmore)	Murphy	Ward
Edwards (Jefferson)	Johnson (Tallahapoosa)	Payne	

—62

Nays:

Mr. Speaker	Dement	Kendall	Richardson
Albea	Ferrell	Nice	Roberts
Broadfoot	Gregory	Nolen	Speaks
Crook	Haltom	Oakley	Windle
Davis	Hawkins		

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TWENTIETH DAY

House of Representatives
Montgomery, Alabama
Tuesday, July 12, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend E. C. McKenzie, Minister, Catoma Street Church of Christ, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Boyd	Brewer	Burkhalter
Adams	Bradford	Broadfoot	Callahan
Albea	Brannan	Brooks	Cornett
Ashworth	Branyon	Brown (Lamar)	Cox
Bassett	Brassell	Brown (Lee)	Crook

Davis	Hare	Locke (Perry)	Pruitt
Dawkins	Harrison	Love	Ramey
deGraffenried	Harvey	McClendon	Reynolds
Dement	Hawkins	McKay	Richardson
DeSear	Hodges	McLendon	Roberts
Dickson	Holliman	McNider	Selman
Edwards (Escambia)	Huddleston	Martin	Shumate
Edwards (Jefferson)	Hunt	Mathews	Simon
Faulk	Jenkins	Mathison	Solomon
Ferrell	Johnson (Elmore)	Meeks	Speaks
Franklin	Johnson (Tallapoosa)	Molette	Steagall
Gilchrist	Kaul	Money	Stembridge
Gist	Kelly	Murphy	Stokes
Goodwyn	Kendall	Nettles	Summerlin
Gregory	Killough	Nice	Taylor
Grouby	Kirkham	Nolen	Thomas
Hain	Lackey	Oakley	Tyson
Hall	Law	Oden	Vacca
Haltom	Lee (Barbour)	Payne	Ward
Hanby	Lee (Lawrence)	Perry	Windle
Hardy	Locke (Choctaw)	Pirkle	Wood

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A quorum was present.

REPORT OF THE STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the nineteenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the nineteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the nineteenth legislative day was approved.

PETITION IN WRITING

Mr. Stokes offered the following Petition in Writing:

Pursuant to the written notice given on the last legislative day, I now petition that the standing Committee on Constitution and Elections be directed to act on and report the bill, S. B. 52, to the House at its next sitting.

And the petition was adopted.

Yeas 61; Nays 13.

Yeas:

Messrs.	Crook	Goodwyn	Hunt
Adams	deGraffenried	Hain	Jenkins
Albea	DeSear	Hall	Johnson (Tallapoosa)
Ashworth	Dickson	Haltom	Kendall
Boyd	Edwards (Jefferson)	Hanby	Killough
Bradford	Faulk	Hardy	Kirkham
Brewer	Franklin	Hare	Lackey
Brown (Lee)	Gilchrist	Harvey	Law
Cornett	Gist	Holliman	Lee (Barbour)

Lee (Lawrence)	Mathison	Perry	Stembridge
Locke (Choctaw)	Molette	Pirkle	Stokes
Locke (Perry)	Money	Ramey	Taylor
McClendon	Nettles	Richardson	Thomas
McKay	Nolen	Solomon	Vacca
McLendon	Oakley	Speaks	Windle
Martin	Payne		

—61

Nays:

Mr. Speaker	Edwards (Escambia)	Murphy	Shumate
Brassell	Ferrell	Nice	Simon
Brown (Lamar)	Hawkins	Selman	Tyson
Dawkins			

—13

RESOLUTION

The following resolution was introduced:

By Mr. Dawkins:

H. R. 45. WHEREAS, Honorable William J. Baldwin, a long time employee of the House of Representatives, who has worked for a number of years at the Clerk's desk in the Hall of the House of Representatives, has been ill for several weeks and has been taken to the hospital so as to hasten his recovery;

NOW, THEREFORE, BE IT RESOLVED by the House that the members thereof do hereby express their regret to the Honorable William J. Baldwin on account of his illness and hope for him a quick recovery and return to his duty at the Clerk's desk in the Hall of the House of Representatives.

On motion of Mr. Dawkins the rules were suspended and H. R. 45 was adopted.

POINT OF PERSONAL PRIVILEGE

Mr. Harrison requested as a matter of personal privilege that the Journal show that he was absent from the House when the petition to have the Standing Committee on Constitution and Elections act on and report the bill, S. 52, to the House at its next sitting was voted on. He requested that the Journal show that had he been present he would have voted "yea", and it was so ordered.

BILLS ON SECOND READING

Mr. Brown (Lee) Chairman of the Standing Committee on Transportation reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 452. To authorize and provide for the planning, designation, establishment, use, regulation, alteration, improvement, maintenance, and vacation of controlled-access facilities; defining such terms; providing for the acquisition of lands required therefor; the restriction of intersections and control of approaches; the establishment of local service roads; the prohibition of certain acts thereon and provision for penalties therefor; and for other purposes.

Mr. Murphy Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 681. To amend Section 11 of Title 19, Code of Alabama (1940), which relates to the appointment of commissioners in condemnation proceedings; requiring the judge of probate to appoint the members of the county board of equalization to serve as commissioners in any condemnation proceeding where the county is a party to such proceeding, in any county having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census.

H. 680. To apply in all counties having a population of not less than 63,700 nor more than 70,000, according to the last or any subsequent federal decennial census; authorizing and directing the county governing body to provide the coroner with office space, certain equipment, furniture, supplies, and services at the expense of the county.

H. 658. To amend further Act No. 345, H. 793, approved September 24, 1923 (Local Acts of Alabama, 1923, page 237) which relates to the election, duties, term of office and compensation of the county superintendent of education of Blount County.

H. 657. Relating to Blount County: To regulate further the public school system of the county; to provide for the election of members of the county board of education; to fix their term of office; to prescribe their qualifications, duties and compensation; and to direct them to prescribe a school term in accordance with the wishes of patrons of such schools as shown by an election, hereby ordered, on the question of whether or not the public school shall be operated for a term of consecutive months or a split term; repealing conflicting laws.

H. 653. Relating to Wilcox County: To amend further Act No. 436, S. 397, approved September 13, 1939 (Local Acts of 1939, p. 261), an Act which provided further for the duties, power, authority, and compensation of the members of the Court of County Commissioners of Wilcox County.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Huddleston (with notice and proof):

H. 687. To vacate and annul the dedication of the following described portion of Seventh Street, in the City of Tuscumbia, Colbert County, Alabama: That portion of Seventh Street lying between the easterly margin line of Water Street and the westerly margin line of Main Street.

Local Legislation No. 1.

Notice and Proof H. 687:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the 1955 Regular Session of the Legislature of the State of Alabama for passage of a local bill, substantially as follows:

A BILL TO BE ENTITLED AN ACT

To vacate and annul the dedication of the following described portion of Seventh Street, in the City of Tuscumbia, Colbert County, Alabama: That portion of Seventh Street lying between the easterly margin line of Water Street and the westerly margin line of Main Street.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

The following described portion of Seventh Street, in the City of Tusculumbia, Colbert County; Alabama; is hereby vacated and the dedication thereof annulled:

That portion of Seventh Street lying between the easterly margin line of Water Street and the westerly margin line of Main Street.

**THE WATER WORKS AND GAS BOARD
OF THE CITY OF TUSCUMBIA,**

By W. R. McGavock, Chairman.

6-9-4tc

**STATE OF ALABAMA
COLBERT COUNTY**

PROOF OF PUBLICATION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. F. Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Colbert County Reporter, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 9, June 16, June 23, and June 30, all in the year 1955.

W. F. MILLER.

Sworn to and subscribed before me on this 2nd day of July, 1955.

**LURLINE H. COOK,
Notary Public.**

My commission Expires: 9-25-55

By Messrs. Hawkins and Davis:

H. 688. To amend Section 2 of Act No. 669, General Acts of Alabama of 1939 and generally called the Alabama Motor Carrier Act, General Acts of Alabama 1939, page 1066 et seq., approved July 5, 1940, and said Act as amended, by providing that the exemption contained in subsection A (3), of Section 2 of said Act, Supra, relating to motor vehicles while used in the transportation of property when the person furnishing the transportation is legally and regularly engaged in the business of selling such property, and is the owner and has legal title to the motor vehicle involved.

Transportation.

By Messrs. Hawkins and Davis:

H. 689. To amend Section 2 of the Alabama Mileage Tax Act, designated as Act No. 664, H. 791, General Acts of Alabama of 1939, approved July 5, 1940 (General Acts of Alabama, 1939, page 1051 et seq.) and said Act as amended, by providing in Section 2 of said Act, Supra, that the increase of one-third cent per mile, per axle, with respect to the operation of a vehicle, where the owner of such vehicle elects to operate the same in any other state under the provisions of any reciprocal contract or agreement, shall apply as to the operation of said vehicle for the duration of the tax and calendar month involved and also where such motor vehicle is licensed in the State of Alabama and also by including within the scope of said tax the operators of all motor vehicles transporting passengers or property on the highways of this state which are not specifically included within the exemptions contained in said Motor Carrier Act.

Ways and Means.

By Mr. Hawkins:

H. 690. Proposing an amendment to the Constitution of Alabama relating to the right to trial by jury; providing for a three-fourths verdict in civil cases.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Branyon, Brown (Lamar), Fite and Gregory:

H. 691. To amend Section 161 of Title 17 of the Code of Alabama (1940), which prescribes the manner of voting for candidates for offices omitted from a party ticket when the voter marks his ballot in the circle for a straight ticket, so as to eliminate the provision which authorizes voting for a person whose name is not on the ballot.

Constitution and Elections.

By Messrs. Branyon, Fite, Brown (Lamar) and Gregory:

H. 692. To amend further Section 348 of Title 17, Code of Alabama (1940) as amended, which regulates the filing by candidates in primary elections of their declarations of candidacy.

Constitution and Elections.

By Messrs. Branyon, Fite, Brown (Lamar) and Gregory:

H. 693. To amend further Section 145 of Title 17 of the Code of Alabama (1940), as amended, which requires the judges of probate to have the names of candidates placed on the ballots and prescribes the time and manner of certifying such candidates' names to the judges of probate.

Constitution and Elections.

By Messrs. Branyon, Fite, Brown (Lamar) and Gregory:

H. 694. To amend Section 340 of Title 17, Code of Alabama (1940) which prescribes the date of holding primary elections.

Constitution and Elections.

By Messrs. Branyon, Fite and Gregory:

H. 695. To amend Section 114 of Title 17 of the Code of Alabama (1940) which relates to the preservation of ballots and records of voting machines after an election.

Constitution and Elections.

By Messrs. Branyon, Brown (Lamar), Fite and Gregory:

H. 696. To amend Section 193 of Title 17 of the Code of Alabama (1940), which prescribes the manner of counting votes, so as to eliminate therefrom the provision relative to votes for persons whose names are not printed on the ballots.

Constitution and Elections.

By Messrs. Simon, Murphy and Tyson:

H. 697. To apply in all counties of the State having a population of not less than 200,000 nor more than 400,000, according to the last or any subsequent Federal decennial census; providing for the appointment of bailiffs for the Circuit Courts in such counties, prescribing their duties, and regulating their compensation.

Local Legislation No. 1.

By Messrs. Simon, Murphy and Tyson:

H. 698. To amend Section 4 and Section 5 of an Act entitled an Act "To provide for appointment of official court reporters of the circuit courts in those circuits which are now, or which may hereafter be, composed of only one county and having not less than four nor more than nine circuit judges; to provide for their qualifications, to fix their compensation, to define their duties and provide for the appointment of special reporters in such cases; and to repeal all laws which may be in conflict herewith", approved April 8, 1955.

Local Legislation No. 1.

By Messrs. Simon, Murphy and Tyson:

H. 699. To provide further for the compensation of the circuit solicitor in circuits composed of one county and having not less than four nor more than nine circuit judges.

Local Legislation No. 1.

By Messrs. Brannan, Kaul, Davis and McNider:

H. 700. To make an appropriation for emergency fire fighting purposes; creating an emergency fire fighting fund and providing for expenditures therefrom by the division of forestry, department of conservation, under the supervision of a special legislative committee, which is created in the Act.

Ways and Means.

By Messrs. Callahan and deGraffenried:

H. 701. To amend Sections 5, 17, 20, and 25 of Act No. 187, S. 339, approved June 29, 1951 (Acts of Alabama 1951, Page 438), which provides for a Firemen's and Policemen's Pension and Relief Fund in cities which have a population exceeding forty-five thousand and not exceeding fifty-four thousand inhabitants according to the preliminary census of April 1, 1951, or any subsequent Federal Census.

Local Legislation No. 1.

By Messrs. Selman and Shumate:

H. 702. To apply in all counties in the State having a population of not less than 63,750 nor more than 72,750 inhabitants according to the last or any subsequent federal decennial census; authorizing the clerk of the circuit court to issue warrants in criminal cases.

Local Legislation No. 1.

By Messrs. Crook and McLendon (with notice and proof):

H. 703. Relating to Bullock County; proposing an amendment to the Constitution of Alabama relative to regulating the fees, commissions, allowances and salaries of certain officers of Bullock County, and ordering an election thereon.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

Notice and Proof H. 703:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Bullock County; proposing an amendment to the Constitution of Alabama relative to regulating the fees, commissions, al-

lowances and salaries of certain officers of Bullock County, and ordering election thereon.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama is proposed, and shall become valid as a part of the Constitution when approved by the qualified electors as provided by law:

AMENDMENT

"The Legislature of Alabama may hereafter, from time to time, by general or local laws, fix, alter, and regulate the fees, commissions, percentages, allowances and salaries to be charged or received by the tax collector and tax assessor of Bullock County, including the right to place such officers on a salary and provide for the fees charged and collected by such officers to be paid into the treasury from which their salaries are paid, and provide for the method and basis of their compensation. Any provision of this Constitution or any amendment thereto to the contrary notwithstanding, the Legislature may alter or fix the salary or other compensation of the tax collector and tax assessor who are holding office at the time this amendment is ratified during the term for which they were elected or appointed. After the expiration of the term of the tax collector and tax assessor who are holding office at the time this amendment is ratified, the Legislature shall not increase or decrease, or authorize this increase or decrease, of the salary or other compensation of the tax collector or tax assessor of Bullock County during the term for which they are elected, as prescribed by the Constitution of Alabama or any amendment thereto.

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday following the expiration of three months after final adjournment of the present session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of this notice shall be posted at each courthouse and post office.

5-26-4tc

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF BULLOCK**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wm H. Garner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Union Springs Herald, a newspaper of general circulation published in Bullock County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 26, June 2, June 9, and June 16, all in the year 1955.

WM. H. GARNER.

Sworn to and subscribed before me 28 June, 1955.

**MABEL FINLAYSON,
Circuit Clerk.**

By Messrs. Crook and McLendon (with notice and proof):

H. 704. Relating to Bullock County: Fixing the compensation of the tax assessor and tax collector of Bullock County.

Local Legislation No. 1.

Notice and Proof H. 704:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Bullock County: Fixing the compensation of the tax assessor and the tax collector of Bullock County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Except as may otherwise be provided for by this Act, the tax assessor and the tax collector of Bullock County shall each receive a salary of four thousand eight hundred dollars (\$4,800.00) per annum, payable in equal monthly installments out of the county treasury as other county employees are paid, in lieu of all other compensation provided by law.

Section 2. All fees, commissions, allowances, percentages, charges, and costs heretofore collectible for the use of the tax assessor and tax collector shall be collected by them and paid into the county treasury. Provided, however, that the tax assessor and tax collector shall each continue to receive as compensation, in addition to the salary provided for by Section 1 of this Act, all fees, commissions, or allowances heretofore paid them, as provided by law, for the assessment and collection of municipal taxes. Provided, however, that the tax assessor shall continue to receive as compensation, in addition to the salary provided for by Section 1 of this Act, the compensation provided for by Section 66 and Section 67 of Title 51 of the Alabama Code of 1940, as amended.

Section 3. This Act shall become effective upon the ratification and adoption of an amendment to the Constitution of Alabama authorizing the Legislature to compensate the tax assessor and the tax collector of Bullock County on a salary basis.

5-26-4tc

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF BULLOCK**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wm. H. Garner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Union Springs Herald, a newspaper of general circulation published in Bullock County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 26, June 2, June 9, and June 16, all in the year 1955.

WM. H. GARNER.

Sworn to and subscribed before me 28 June, 1955.

**MABEL FINLAYSON,
Circuit Clerk.**

By Messrs. Gilchrist, Lee (Lawrence), Reynolds, Hall, Dickson, Lee (Barbour), Thomas, Richardson and Brewer:

H. 705. To provide and require uniform health and sanitary standards or requirements throughout the State of Alabama for testing, inspection and grading of milk sold for human consumption.

Agriculture.

By Mr. Gilchrist:

H. 706. To require the use of Grade "A" milk or milk products in the manufacture of ice cream; charging the State Board of Health with the administration of the Act and authorizing it to promulgate rules and regulations for its administration; and prescribing penalties for violations of the Act.

Agriculture.

By Messrs. Gilchrist, Lee (Lawrence), Reynolds, Hall, Dickson, Richardson and Brewer:

H. 707. To require accurate labeling of containers in which milk is sold with respect to the origin of such milk by requiring the name of the State in which the milk is produced to be imprinted upon containers used for the sale and delivery of such milk.

Agriculture.

By Mr. Gilchrist:

H. 708. To amend further Section 207 of Title 22, Code of Alabama (1940), to add two members to the Milk Control Board.

Agriculture.

By Messrs. Stokes, Nettles, Holliman, Kirkham, Bradford, Faulk, Brannan, Molette, and Richardson:

H. 709. To repeal Chapter 13, Title 52, Code of Alabama (1940), which provides for the tenure of employment of teachers, and all amendments thereto.

Education.

By Messrs. deGraffenried and Callahan:

H. 710. Relating to counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act.

Local Legislation No. 1.

BILLS ON THIRD READING

H. 634. To provide for and require the Tax Collector of Mobile County to pay into the County Treasury all taxes collected by him for Mobile County or on account of salary expenses, together with all fees, commissions, interest and penalties charged and/or collected by him by reason of any official act or for the performance of any service connected directly or indirectly with his said office, without any retention, withholding or deduction therefrom of any sum or sums for the payment of salaries of the Tax Collector and Tax Assessor of Mobile County, or for payment of the salaries of any employees or assistants of such Tax Collector and Tax Assessor; to provide how all such salaries shall hereafter be paid, when this act shall take effect and to repeal those laws or parts of laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Nice
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Nolen
Albea	Faulk	Kelly	Oakley
Ashworth	Ferrell	Kendall	Oden
Bassett	Franklin	Killough	Payne
Boyd	Gilchrist	Kirkham	Pirkle
Bradford	Gist	Lackey	Ramey
Brannan	Goodwyn	Law	Reynolds
Branyon	Gregory	Lee (Barbour)	Richardson
Brassell	Hain	Lee (Lawrence)	Roberts
Brewer	Hall	Locke (Choctaw)	Selman
Brooks	Haltom	Locke (Perry)	Shumate
Brown (Lamar)	Hanby	Love	Simon
Brown (Lee)	Hardy	McClendon	Speaks
Callahan	Hare	McKay	Steagall
Cornett	Harrison	McLendon	Stembridge
Cox	Harvey	McNider	Stokes
Crook	Hawkins	Martin	Taylor
Davis	Hodges	Mathews	Thomas
Dawkins	Holliman	Molette	Vacca
deGraffenried	Huddleston	Money	Ward
Dement	Hunt	Murphy	Windle
DeSear	Jenkins	Nettles	Wood
Dickson			

—93

And the bill:

H. 632. Relating to Marion County; to amend Section 5 of Act No. 58 adopted at the Second Special Session of the Legislature of Alabama of 1955 so as to change the method and purpose of distribution of the revenues arising from the tax levied by said act and so as to authorize the use and pledge of a portion thereof for the payment of the principal of and interest on certain securities which may be issued pursuant to law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Burkhalter	Ferrell	Harrison
Adams	Callahan	Franklin	Harvey
Albea	Cornett	Gilchrist	Hawkins
Ashworth	Cox	Gist	Hodges
Bassett	Crook	Goodwyn	Holliman
Boyd	Davis	Gregory	Hunt
Bradford	deGraffenried	Grouby	Jenkins
Branyon	Dement	Hain	Johnson (Tallapoosa)
Brassell	DeSear	Hall	Kelly
Brewer	Dickson	Haltom	Kendall
Brooks	Edwards (Escambia)	Hanby	Killough
Brown (Lamar)	Edwards (Jefferson)	Hardy	Kirkham
Brown (Lee)	Faulk	Hare	Lackey

Law	Martin	Payne	Stokes
Lee (Lawrence)	Molette	Pirkle	Taylor
Locke (Choctaw)	Murphy	Ramey	Thomas
Locke (Perry)	Nettles	Reynolds	Tyson
Love	Nice	Richardson	Vacca
McClendon	Nolen	Roberts	Ward
McKay	Oakley	Simon	Windle
McLendon	Oden	Speaks	Wood
McNider			

—85

And the bill:

H. 633. Relating to Marion County: To authorize and direct the county governing body to call an election for the purpose of determining whether or not additional county privilege or excise taxes shall be imposed for the purposes designated in this Act; to authorize the levying of such taxes on bottled soft drinks and syrup used in making soft drinks; to impose duties and confer powers on the county governing body and the clerk thereof relative to the collection of such tax; to prescribe the method or manner of evidencing the payment of the tax; to provide for the distribution of revenues arising from the tax; to impose duties on manufacturers, bottlers, distributors and users of bottled soft drinks and syrup; and to prescribe penalties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Dickson	Holliman	Nettles
Adams	Edwards (Escambia)	Hunt	Nice
Albea	Edwards (Jefferson)	Jenkins	Nolen
Ashworth	Faulk	Johnson (Tallapoosa)	Oakley
Bassett	Ferrell	Kelly	Oden
Boyd	Franklin	Kendall	Payne
Bradford	Gilchrist	Killough	Pirkle
Branyon	Gist	Kirkham	Ramey
Brassell	Goodwyn	Lackey	Reynolds
Brewer	Gregory	Law	Richardson
Brooks	Grouby	Lee (Lawrence)	Roberts
Brown (Lamar)	Hain	Locke (Choctaw)	Simon
Brown (Lee)	Hall	Locke (Perry)	Speaks
Burkhalter	Haltom	Love	Stokes
Callahan	Hanby	McClendon	Taylor
Cornett	Hardy	McKay	Thomas
Cox	Hare	McLendon	Tyson
Crook	Harrison	McNider	Vacca
Davis	Harvey	Martin	Ward
deGraffenried	Hawkins	Molette	Windle
Dement	Hodges	Murphy	Wood
DeSear			

—85

And the bill:

H. 629. Relating to Marion County: To authorize and direct the governing body of the county to call an election for the purpose of determining whether or not additional county privilege or excise taxes shall be imposed for the purposes specified in this Act; to authorize the levying of such taxes on chewing gum, candies and other enumer-

ated snack-bar items; to charge the county governing body with the collection and enforcement of the tax and to authorize such governing body to prescribe procedure for exempting items sold for use outside the county from the tax; to require that stamps be affixed to these items to evidence the payment of the tax; to provide for the distribution of revenues arising from the tax; and to prescribe penalties for violations of the rules and regulations prescribed by the county governing body pursuant to this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Dickson	Holliman	Nettles
Adams	Edwards (Escambia)	Hunt	Nice
Albea	Edwards (Jefferson)	Jenkins	Nolen
Ashworth	Faulk	Johnson (Tallapoosa)	Oakley
Bassett	Ferrell	Kelly	Oden
Boyd	Franklin	Kendall	Payne
Bradford	Gilchrist	Killough	Pirkle
Branyon	Gist	Kirkham	Ramey
Brassell	Goodwyn	Lackey	Reynolds
Brewer	Gregory	Law	Richardson
Brooks	Grouby	Lee (Lawrence)	Roberts
Brown (Lamar)	Hain	Locke (Choctaw)	Simon
Brown (Lee)	Hall	Locke (Perry)	Speaks
Burkhalter	Haltom	Love	Stokes
Callahan	Hanby	McClendon	Taylor
Cornett	Hardy	McKay	Thomas
Cox	Hare	McLendon	Tyson
Crook	Harrison	McNider	Vacca
Davis	Harvey	Martin	Ward
deGraffenried	Hawkins	Molette	Windle
Dement	Hodges	Murphy	Wood
DeSear			

—85

And the bill:

H. 631. Authorizing and specifying the procedure for the organization of a public corporation in Marion County, Alabama, for the purpose of acquiring, constructing, leasing, owning and operating irrigation projects, hydro-electric power producing projects, and selling water and water rights; granting certain other powers upon a corporation so created; authorizing the issuance of revenue bonds, and revenue refunding bonds, payable solely from the revenues of such projects for the purpose of paying the cost of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; providing that no bonds or other obligations of the corporation shall create a debt of the county, the State, or any political subdivision thereof; granting a corporation so created the right of eminent domain; and prescribing penalties for the violation of certain provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Dickson	Holliman	Nettles
Adams	Edwards (Escambia)	Hunt	Nice
Albea	Edwards (Jefferson)	Jenkins	Nolen
Ashworth	Faulk	Johnson (Tallapoosa)	Oakley
Bassett	Ferrell	Kelly	Oden
Boyd	Franklin	Kendall	Payne
Bradford	Gilchrist	Killough	Pirkle
Branyon	Gist	Kirkham	Ramey
Brassell	Goodwyn	Lackey	Reynolds
Brewer	Gregory	Law	Richardson
Brooks	Grouby	Lee (Lawrence)	Roberts
Brown (Lamar)	Hain	Locke (Choctaw)	Simon
Brown (Lee)	Hall	Locke (Perry)	Speaks
Burkhalter	Haltom	Love	Stokes
Callahan	Hanby	McClendon	Taylor
Cornett	Hardy	McKay	Thomas
Cox	Hare	McLendon	Tyson
Crook	Harrison	McNider	Vacca
Davis	Harvey	Martin	Ward
deGraffenried	Hawkins	Molette	Windle
Dement	Hodges	Murphy	Wood
DeSear			

—85

And the bill:

H. 630. Relating to Marion County: To authorize and direct the county governing body to call an election for the purpose of determining whether or not additional county privilege or excise taxes shall be imposed for the purposes specified in this Act; to authorize the levying of such taxes on tobacco and certain tobacco products; to impose duties and confer powers on the county governing body, and the clerk thereof, relative to the collection of such tax; to prescribe the method or manner of evidencing the payment of the tax; to provide for the distribution of the revenues arising from the tax; to impose duties on vendors, storers and distributors of tobacco and tobacco products; and to prescribe penalties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cox	Grouby	Kendall
Adams	Crook	Hain	Killough
Albea	Davis	Hall	Kirkham
Ashworth	deGraffenried	Haltom	Lackey
Bassett	Dement	Hanby	Law
Boyd	DeSear	Hardy	Lee (Lawrence)
Bradford	Dickson	Hare	Locke (Choctaw)
Branyon	Edwards (Escambia)	Harrison	Locke (Perry)
Brassell	Edwards (Jefferson)	Harvey	Love
Brewer	Faulk	Hawkins	McClendon
Brooks	Ferrell	Hodges	McKay
Brown (Lamar)	Franklin	Holliman	McLendon
Brown (Lee)	Gilchrist	Hunt	McNider
Burkhalter	Gist	Jenkins	Martin
Callahan	Goodwyn	Johnson (Tallapoosa)	Molette
Cornett	Gregory	Kelly	Murphy

Nettles	Pirkle	Simon	Tyson
Nice	Ramey	Speaks	Vacca
Nolen	Reynolds	Stokes	Ward
Oakley	Richardson	Taylor	Windle
Oden	Roberts	Thomas	Wood
Payne			

—85

And the bill:

H. 636. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for public school purposes in Russell County; and authorizing the county and city boards of education, upon the levy of such special tax, to issue tax anticipation bonds, and to pledge the proceeds of the tax to the payment of the interest on and principal of such bonds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hunt	Nice
Adams	Edwards (Escambia)	Jenkins	Nolen
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Ashworth	Faulk	Kelly	Oden
Bassett	Ferrell	Kendall	Payne
Boyd	Franklin	Killough	Pirkle
Bradford	Gilchrist	Kirkham	Ramey
Branyon	Gist	Lackey	Reynolds
Brassell	Goodwyn	Law	Richardson
Brewer	Gregory	Lee (Lawrence)	Roberts
Brooks	Grouby	Locke (Choctaw)	Simon
Brown (Lamar)	Hain	Locke (Perry)	Speaks
Brown (Lee)	Hall	Love	Steagall
Burkhalter	Haltom	McClendon	Stembridge
Callahan	Hanby	McKay	Stokes
Cornett	Hardy	McLendon	Taylor
Cox	Hare	McNider	Thomas
Crook	Harrison	Martin	Tyson
Davis	Harvey	Mathews	Vacca
deGraffenried	Hawkins	Molette	Ward
Dement	Hodges	Murphy	Windle
DeSear	Holliman	Nettles	Wood

—88

And the bill:

H. 652. To authorize and require the court of county commissioners, board of revenue, or like governing body of Wilcox County to pay the clerk hire of certain county officers out of the general fund in the county treasury.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Albea	Bassett	Bradford
Adams	Ashworth	Boyd	Branyon

Brassell	Gilchrist	Kendall	Oakley
Brewer	Gist	Killough	Oden
Brooks	Goodwyn	Kirkham	Payne
Brown (Lamar)	Gregory	Lackey	Pirkle
Brown (Lee)	Grouby	Law	Ramey
Burkhalter	Hain	Lee (Lawrence)	Reynolds
Callahan	Hall	Locke (Choctaw)	Richardson
Cornett	Haltom	Locke (Perry)	Roberts
Cox	Hanby	Love	Simon
Crook	Hardy	McClendon	Speaks
Davis	Hare	McKay	Steagall
deGraffenried	Harrison	McLendon	Stembridge
Dement	Harvey	McNider	Stokes
DeSear	Hawkins	Martin	Taylor
Dickson	Hodges	Mathews	Thomas
Edwards (Escambia)	Holliman	Molette	Tyson
Edwards (Jefferson)	Hunt	Murphy	Vacca
Faulk	Jenkins	Nettles	Ward
Ferrell	Johnson (Tallapoosa)	Nice	Windle
Franklin	Kelly	Nolen	Wood

—88

And the bill:

H. 648. Proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Coffee County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hunt	Nice
Adams	Edwards (Escambia)	Jenkins	Nolen
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Ashworth	Faulk	Kelly	Oden
Bassett	Ferrell	Kendall	Payne
Boyd	Franklin	Killough	Pirkle
Bradford	Gilchrist	Kirkham	Ramey
Branyon	Gist	Lackey	Reynolds
Brassell	Goodwyn	Law	Richardson
Brewer	Gregory	Lee (Lawrence)	Roberts
Brooks	Grouby	Locke (Choctaw)	Simon
Brown (Lamar)	Hain	Locke (Perry)	Speaks
Brown (Lee)	Hall	Love	Steagall
Burkhalter	Haltom	McClendon	Stembridge
Callahan	Hanby	McKay	Stokes
Cornett	Hardy	McLendon	Taylor
Cox	Hare	McNider	Thomas
Crook	Harrison	Martin	Tyson
Davis	Harvey	Mathews	Vacca
deGraffenried	Hawkins	Molette	Ward
Dement	Hodges	Murphy	Windle
DeSear	Holliman	Nettles	Wood

—88

And the bill:

S. 198. To amend Act No. 208, S. 182, approved June 22, 1943 (Local Acts, 1943, p. 110), which Act authorizes The Court of County Revenues

of Dallas County, Alabama, to expend county funds for purposes not otherwise provided by law.

Was read a third time at length and passed.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hunt	Nice
Adams	Edwards (Escambia)	Jenkins	Nolen
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Ashworth	Faulk	Kelly	Oden
Bassett	Ferrell	Kendall	Payne
Boyd	Franklin	Killough	Pirkle
Bradford	Gilchrist	Kirkham	Ramey
Branyon	Gist	Lackey	Reynolds
Brassell	Goodwyn	Law	Richardson
Brewer	Gregory	Lee (Lawrence)	Roberts
Brooks	Grouby	Locke (Choctaw)	Simon
Brown (Lamar)	Hain	Locke (Perry)	Speaks
Brown (Lee)	Hall	Love	Steagall
Burkhalter	Haltom	McClendon	Stembridge
Callahan	Hanby	McKay	Stokes
Cornett	Hardy	McLendon	Taylor
Cox	Hare	McNider	Thomas
Crook	Harrison	Martin	Tyson
Davis	Harvey	Mathews	Vacca
deGraffenried	Hawkins	Molette	Ward
Dement	Hodges	Murphy	Windle
DeSear	Holliman	Nettles	Wood

—88

And the bill:

S. 186. To make it mandatory that all elections hereafter held in Madison County, or in any municipality or political subdivision thereof, must be conducted with the use of voting machines; repealing all laws, general, local, and special, in conflict with this Act.

Was read a third time at length and passed.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Crook	Hall	Lackey
Adams	Davis	Haltom	Law
Albea	deGraffenried	Hanby	Lee (Lawrence)
Ashworth	Dement	Hardy	Locke (Choctaw)
Bassett	DeSear	Hare	Locke (Perry)
Boyd	Dickson	Harrison	Love
Bradford	Edwards (Escambia)	Harvey	McClendon
Branyon	Edwards (Jefferson)	Hawkins	McKay
Brassell	Faulk	Hodges	McLendon
Brewer	Ferrell	Holliman	McNider
Brooks	Franklin	Hunt	Martin
Brown (Lamar)	Gilchrist	Jenkins	Mathews
Brown (Lee)	Gist	Johnson (Tallapoosa)	Molette
Burkhalter	Goodwyn	Kelly	Murphy
Callahan	Gregory	Kendall	Nettles
Cornett	Grouby	Killough	Nice
Cox	Hain	Kirkham	Nolen

Oakley	Reynolds	Steagall	Tyson
Oden	Richardson	Stembridge	Vacca
Payne	Roberts	Stokes	Ward
Pirkle	Simon	Taylor	Windle
Ramey	Speaks	Thomas	Wood

—88

And the bill:

S. 185. To authorize the Court of County Commissioners of Pike County, Alabama to provide a deputy circuit Clerk for Pike County, Alabama to be appointed by and to serve at the pleasure of the circuit clerk of Pike County, Alabama; to provide for the salary of such deputy to be determined by said Court of County Commissioners in an amount not exceeding \$1800.00 per year payable in equal monthly installments from the general fund of said county; and to provide that the said Court of County Commissioners of Pike County, Alabama shall have the full power and authority to revoke or suspend the provisions and allowances for the deputy circuit clerk at any time.

Was read a third time at length and passed.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hunt	Nice
Adams	Edwards (Escambia)	Jenkins	Nolen
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Ashworth	Faulk	Kelly	Oden
Bassett	Ferrell	Kendall	Payne
Boyd	Franklin	Killough	Pirkle
Bradford	Gilchrist	Kirkham	Ramey
Branyon	Gist	Lackey	Reynolds
Brassell	Goodwyn	Law	Richardson
Brewer	Gregory	Lee (Lawrence)	Roberts
Brooks	Grouby	Locke (Choctaw)	Simon
Brown (Lamar)	Hain	Locke (Perry)	Speaks
Brown (Lee)	Hall	Love	Steagall
Burkhalter	Haltom	McClendon	Stembridge
Callahan	Hanby	McKay	Stokes
Cornett	Hardy	McLendon	Taylor
Cox	Hare	McNider	Thomas
Crook	Harrison	Martin	Tyson
Davis	Harvey	Mathews	Vacca
deGraffenried	Hawkins	Molette	Ward
Dement	Hodges	Murphy	Windle
DeSear	Holliman	Nettles	Wood

—88

And the bill:

S. 184. Relating to Pike County; authorizing the Court of County Commissioners of said county, during such times as the Circuit Solicitor of the Twelfth Judicial Circuit shall not reside in said county, to provide a clerk for the Deputy Solicitor for Pike County; to provide for the appointment and term of office of said clerk, to fix the salary of said clerk and provide for the payment thereof.

Was read a third time at length and passed.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Albea	Bassett	Bradford
Adams	Ashworth	Boyd	Branyon

Brassell	Gilchrist	Kendall	Oakley
Brewer	Gist	Killough	Oden
Brooks	Goodwyn	Kirkham	Payne
Brown (Lamar)	Gregory	Lackey	Pirkle
Brown (Lee)	Grouby	Law	Ramey
Burkhalter	Hain	Lee (Lawrence)	Reynolds
Callahan	Hall	Locke (Choctaw)	Richardson
Cornett	Haltom	Locke (Perry)	Roberts
Cox	Hanby	Love	Simon
Crook	Hardy	McClendon	Speaks
Davis	Hare	McKay	Steagall
deGraffenried	Harrison	McLendon	Stembridge
Dement	Harvey	McNider	Stokes
DeSear	Hawkins	Martin	Taylor
Dickson	Hodges	Mathews	Thomas
Edwards (Escambia)	Holliman	Molette	Tyson
Edwards (Jefferson)	Hunt	Murphy	Vacca
Faulk	Jenkins	Nettles	Ward
Ferrell	Johnson (Tallapoosa)	Nice	Windle
Franklin	Kelly	Nolen	Wood

—88

And the bill:

H. 600. TO AMEND Section 4 and Section 7 of Act No. 929 of the regular session of the Legislature of Alabama of 1951 approved September 12, 1951 (Acts 1951, page 1579) entitled "AN ACT to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the board of health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Crook	Hall	Lackey
Adams	Davis	Haltom	Law
Albea	deGraffenried	Hanby	Lee (Lawrence)
Ashworth	Dement	Hardy	Locke (Choctaw)
Bassett	DeSear	Hare	Locke (Perry)
Boyd	Dickson	Harrison	Love
Bradford	Edwards (Escambia)	Harvey	McClendon
Branyon	Edwards (Jefferson)	Hawkins	McKay
Brassell	Faulk	Hodges	McLendon
Brewer	Ferrell	Holliman	McNider
Brooks	Franklin	Hunt	Martin
Brown (Lamar)	Gilchrist	Jenkins	Mathews
Brown (Lee)	Gist	Johnson (Tallapoosa)	Molette
Burkhalter	Goodwyn	Kelly	Murphy
Callahan	Gregory	Kendall	Nettles
Cornett	Grouby	Killough	Nice
Cox	Hain	Kirkham	Nolen

Oakley	Reynolds	Steagall	Tyson
Oden	Richardson	Stembridge	Vacca
Payne	Roberts	Stokes	Ward
Pirkle	Simon	Taylor	Windle
Ramey	Speaks	Thomas	Wood

—88

SUPREME COURT OPINION

OFFICE OF
CLERK OF THE SUPREME COURT
STATE OF ALABAMA
MONTGOMERY

J. Render Thomas
Clerk

July 11, 1955

Honorable Robert T. Goodwyn, Jr.
Clerk of the House of Representatives
Legislature of Alabama
State Capitol
Montgomery, Alabama

Dear Mr. Goodwyn:

I enclose you herewith two copies of the Opinions of the Justices of the Supreme Court of Alabama rendered July 11th, 1955, by said Justices of the Supreme Court of Alabama in response and answer to House Resolution No. 7 requesting advisory opinions of the Justices of the Supreme Court of Alabama relative to House Bill No. 9, "A BILL TO BE ENTITLED AN ACT Proposing amendments of the Constitution of Alabama (1901) relating to representation in the Legislature," as the same appear and remain on record on file in this office.

Yours very truly,

J. RENDER THOMAS,
Clerk, Supreme Court of
Alabama.

JRT/ld
Encls: 2.

SUPREME COURT OPINION

(Pursuant to H. R. 7, Third Special Session 1955).

Received, read and ordered filed, and copies ordered printed for use of members.

SUPREME COURT OPINION

OFFICE OF
CLERK OF THE SUPREME COURT
STATE OF ALABAMA
MONTGOMERY

J. Render Thomas
Clerk

July 11, 1955

Honorable Robert T. Goodwyn, Jr.
Clerk of the House of Representatives
Legislature of Alabama
State Capitol
Montgomery, Alabama

Dear Mr. Goodwyn:

I enclose you herewith two copies of the Opinions of the Justices of the Supreme Court of Alabama rendered on July 11th, 1955, by said Justices of the Supreme Court of Alabama in response and answer to House Resolution No. 6 requesting advisory opinions of the Justices of the Supreme Court of Alabama relative to Senate Bill No. 2, a Bill to be entitled and Act to provide for the calling of a convention to revise and amend the Constitution of the State of Alabama, as the same appear and remain on record on file in this office.

Yours very truly,

J. RENDER THOMAS,
Clerk, Supreme Court.

JRT/ld
Encls: 2.

SUPREME COURT OPINION

(Pursuant to H. R. 6, Third Special Session 1955).

Received, read and ordered filed, and copies ordered printed for use of members.

SUPREME COURT OPINION

OFFICE OF CLERK OF THE SUPREME COURT STATE OF ALABAMA MONTGOMERY

J. Render Thomas
Clerk

July 11, 1955

Honorable Robert T. Goodwyn, Jr.
Clerk of the House of Representatives
Legislature of Alabama
State Capitol
Montgomery, Alabama

Dear Mr. Goodwyn:

I enclose you herewith two copies of the opinion of a majority of the Justices of the Supreme Court of Alabama rendered on July 11th, 1955, by said Justices of the Supreme Court of Alabama in response and answer to House Resolution No. 5, propounding the question of whether or not the provisions of Section 286 of the Constitution, as amended, prohibit the Legislature from providing that the delegates to the proposed convention shall be elected on the same day as the election on the question of convention or not convention, as provided in Senate Bill No. 2 by Messrs. Lamberth, Flowers, Leonard, Newton, Roberts, Goodwin, Allen, Vann, and Dyar, as the same appears and remains on record on file in this office.

Yours very truly,

J. RENDER THOMAS,
Clerk, Supreme Court.

JRT/ld
Encls: 2.

SUPREME COURT OPINION

(Pursuant to H. R. 5, Third Special Session 1955).

Received, read and ordered filed, and copies ordered printed for use of members.

SUPREME COURT OPINION

OFFICE OF
CLERK OF THE SUPREME COURT
STATE OF ALABAMA
MONTGOMERY

J. Render Thomas
Clerk

July 11, 1955

Honorable Robert T. Goodwyn, Jr.
Clerk of the House of Representatives
Legislature of Alabama
State Capitol
Montgomery, Alabama

Dear Mr. Goodwyn:

I enclose you herewith two copies of the Opinion of a majority of the Justices of the Supreme Court of Alabama rendered July 11th, 1955, by the Justices of the Supreme Court of Alabama in response and answer to House Resolution No. 9 requesting advisory opinions of the Justices of the Supreme Court of Alabama relative to House Bill No. 3, "A BILL TO BE ENTITLED AN ACT To provide for the calling of a convention to revise and amend the Constitution of this State", as the same appears and remains on record on file in this office.

Yours very truly,

J. RENDER THOMAS,
Clerk, Supreme Court.

JRT/ld
Encls: 2.

SUPREME COURT OPINION

(Pursuant to H. R. 9, Third Special Session 1955).

Received, read and ordered filed, and copies ordered printed for use of members.

SUPREME COURT OPINION

OFFICE OF
CLERK OF THE SUPREME COURT
STATE OF ALABAMA
MONTGOMERY

J. Render Thomas
Clerk

July 11, 1955

Honorable Robert T. Goodwyn, Jr.
Clerk of the House of Representatives
Legislature of Alabama
State Capitol
Montgomery, Alabama

Dear Mr. Goodwyn:

I enclose herewith two copies of the Opinion of a majority of the Justices of the Supreme Court of Alabama rendered July 11, 1955, by

said Justice of the Supreme Court in response and answer to House Resolution No. 10 requesting advisory opinions from the Justices of the Supreme Court of Alabama concerning the constitutionality of House Bill No. 15, a Bill for an Act creating a Board of Apportionment and defining its powers and duties, as the same appears and remains on record on file in this office.

Yours very truly,

J. RENDER THOMAS,
Clerk, Supreme Court.

JRT/ld
Encls: 2.

SUPREME COURT OPINION

(Pursuant to H. R. 10, Third Special Session 1955).

Received, read and ordered filed, and copies ordered printed for use of members.

SUPREME COURT OPINION

OFFICE OF
CLERK OF THE SUPREME COURT
STATE OF ALABAMA
MONTGOMERY

J. Render Thomas
Clerk

July 11, 1955

Honorable Robert T. Goodwyn, Jr.
Clerk of the House of Representatives
Legislature of Alabama
State Capitol
Montgomery, Alabama

Dear Mr. Goodwyn:

I enclose you herewith two copies of the Opinion of the Justices of the Supreme Court of Alabama rendered July 11, 1955, by said Justices of the Supreme Court of Alabama in response and answer to House Joint Resolution No. 17 relative to House Bill No. 155, as the same appears and remains on record on file in this office.

Yours very truly,

J. RENDER THOMAS,
Clerk, Supreme Court.

JRT/ld
Encls: 2.

SUPREME COURT OPINION

Received, read and ordered filed. Copies ordered printed for use of the members.

SUPREME COURT OPINION

OFFICE OF
CLERK OF THE SUPREME COURT
STATE OF ALABAMA
MONTGOMERY

J. Render Thomas
Clerk

July 11, 1955

Honorable Robert T. Goodwyn, Jr.
 Clerk of the House of Representatives
 Legislature of Alabama
 State Capitol
 Montgomery, Alabama

Dear Mr. Goodwyn:

I enclose you herewith two copies of the Opinion of a majority of the Justices of the Supreme Court of Alabama rendered July 11th, 1955, by said Justices of the Supreme Court of Alabama in response and answer to House Resolution No. 5 requesting advisory opinions of the Justices of the Supreme Court of Alabama relative to the constitutionality of the pending Bill (HB-101) establishing a Law and Equity Court in Winston County, as the same appears and remains on record on file in this office.

Yours very truly,

J. RENDER THOMAS,
 Clerk, Supreme Court.

JRT/lid
 Encls: 2.

SUPREME COURT OPINION

Received, read and ordered filed.

BILLS ON THIRD READING RESUMED

H. 193 (with substitute). To define, regulate and license barbers and barber shops, barber colleges and like businesses, to create a State Board of Barber Examiners, define their powers and duties, fix their compensation, fix and prescribe license fees for barbers, barber shops, barber colleges and like businesses, to prescribe penalties and punishment for the violation of this act.

Was taken up.

The motion of Mr. Taylor to lay on the table the bill, H. 193, and pending substitute was lost.

Yeas 29; Nays 58.

Yeas:

Messrs.	Grouby	Kirkham	Martin
Brooks	Hain	Lee (Barbour)	Nettles
Brown (Lee)	Hardy	Locke (Choctaw)	Oakley
Crook	Hunt	Love	Richardson
Dickson	Jenkins	McClendon	Taylor
Faulk	Johnson (Tallapoosa)	McLendon	Thomas
Franklin	Kendall	McNider	Ward
Gregory	Killough		

—29

Nays:

Mr. Speaker	Brassell	Cornett	Edwards (Escambia)
Bassett	Brewer	Cox	Edwards (Jefferson)
Boyd	Broadfoot	Davis	Ferrell
Bradford	Brown (Lamar)	Dawkins	Gilchrist
Brannan	Burkhalter	deGraffenried	Gist
Branyon	Callahan	Dement	Goodwyn

Hall	Huddleston	Molette	Reynolds
Haltom	Johnson (Elmore)	Money	Roberts
Hanby	Kaul	Murphy	Selman
Hare	Lackey	Nice	Shumate
Harrison	Law	Nolen	Simon
Harvey	Lee (Lawrence)	Oden	Speaks
Hawkins	McKay	Payne	Steagall
Hodges	Mathews	Perry	Stokes
Holliman	Meeks		

—58

On motion of Mr. Haltom, further consideration of the bill, H. 193, and pending substitute, was postponed until the twenty-second legislative day.

Yeas 84; Nays 11.

Yeas:

Messrs.	Faulk	Johnson (Tallapoosa)	Oden
Albea	Ferrell	Kaul	Payne
Ashworth	Franklin	Kendall	Perry
Bassett	Gist	Killough	Pirkle
Boyd	Goodwyn	Kirkham	Pruitt
Bradford	Gregory	Lackey	Ramey
Brannan	Grouby	Lee (Barbour)	Reynolds
Branyon	Hain	Lee (Lawrence)	Richardson
Broadfoot	Hall	Locke (Choctaw)	Selman
Brooks	Haltom	Locke (Perry)	Shumate
Brown (Lamar)	Hanby	McClendon	Solomon
Brown (Lee)	Hardy	McKay	Speaks
Burkhalter	Hare	McLendon	Steagall
Callahan	Harrison	McNider	Stembridge
Cornett	Harvey	Martin	Stokes
Cox	Hodges	Mathews	Taylor
Davis	Holliman	Meeks	Thomas
Dement	Huddleston	Molette	Vacca
DeSear	Hunt	Money	Ward
Dickson	Jenkins	Nettles	Windle
Edwards (Escambia)	Johnson (Elmore)	Oakley	Wood
Edwards (Jefferson)			

—84

Nays:

Mr. Speaker	Dawkins	Murphy	Roberts
Brassell	deGraffenried	Nice	Simon
Brewer	Law	Nolen	

—11

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill your signature thereto is requested:

S. 112. To amend Section 6 (e) (1) of Act No. 48, H. B. 34, approved November 3, 1950 entitled "An Act To provide old-age and survivors insurance for certain officers and employees of the State and local governments and making appropriations therefor and to repeal Act No. 990 approved September 12, 1951."

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

RECESS

On motion of Mr. Dawkins the House recessed until 3:00 o'clock this afternoon.

AFTERNOON SESSION

The hour of 3:00 o'clock P. M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills your signature thereto is requested:

S. 184. Relating to Pike County; authorizing the Court of County Commissioners of said county, during such times as the Circuit Solicitor of the Twelfth Judicial Circuit shall not reside in said county, to provide a clerk for the Deputy Solicitor for Pike County; to provide for the appointment and term of office of said clerk, to fix the salary of said clerk and provide for the payment thereof.

Also:

S. 185. To authorize the Court of County Commissioners of Pike County, Alabama to provide a deputy circuit Clerk for Pike County, Alabama, to be appointed by and to serve at the pleasure of the circuit clerk of Pike County, Alabama; to provide for the salary of such deputy to be determined by said Court of County Commissioners in an amount not exceeding \$1800.00 per year payable in equal monthly installments from the general fund of said county; and to provide that the said Court of County Commissioners of Pike County, Alabama shall have the full power and authority to revoke or suspend the provisions and allowances for the deputy circuit clerk at any time.

Also:

S. 186. To make it mandatory that all elections hereafter held in Madison County, or in any municipality or political subdivision thereof, must be conducted with the use of voting machines; repealing all laws, general, local, and special, in conflict with this Act.

Also:

S. 198. To amend Act No. 208, S. 182, approved June 22, 1943 (Local Acts, 1943, p. 110), which Act authorizes The Court of County Revenues of Dallas County, Alabama, to expend county funds for purposes not otherwise provided by law.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present,

signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Goodwin, Roberts, Lamberth, Flowers, Leonard, Metcalf, Jones, Van Antwerp, Vann, Skidmore and Allen:

S. J. R. 45. Whereas the distinguished Governor of Michigan, the Honorable G. Mennen Williams, is an outstanding member of the Democratic Party, and is a man of great experience in State Government and politics, having been elected Governor of Michigan for four terms, more than any other man elected Governor of that State; and

Whereas the members of the Legislature would deem it a signal honor and privilege to have Governor Williams address a joint session of the Legislature of Alabama; now therefore

Be It Resolved by the Senate of Alabama, the House of Representatives Concurring:

1. Governor G. Mennen Williams is hereby cordially invited to address a joint session of the Legislature of Alabama at any time which may be convenient to him.

2. The Secretary of the Senate is directed to transmit a duly authenticated copy of this resolution to Governor Williams.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The motion of Mr. Brassell to suspend the rules in order to bring up for immediate consideration the S. J. R. 45 set out in the above and foregoing Message from the Senate was lost.

Yeas 35; Nays 40.

Yeas:

Mr. Speaker	Davis	Johnson (Elmore)	Selman
Pranyon	Dement	Law	Shumate
Brassell	Edwards (Escambia)	Lee (Lawrence)	Simon
Brewer	Farrrell	Money	Speaks
Broadfoot	Gilchrist	Murphy	Steagall
Brown (Lamar)	Gist	Nice	Stokes
Callahan	Goodwyn	Nolen	Vacca
Cornett	Haltom	Oden	Wood
Cox	Hawkins	Payne	

—35

Nays:

Messrs.	Brannan	Franklin	Harrison
Albea	Brooks	Gregory	Harvey
Ashworth	Brown (Lee)	Grouby	Hodges
Bassett	Crook	Hain	Hunt
Boyd	DeSear	Hall	Jenkins
Bradford	Faulk	Hardy	Johnson (Tallapoosa)

Killough
Lee (Barbour)
Locke (Choctaw)
Locke (Perry)
McClendon

McKay
McLendon
McNider
Martin

Mathison
Molette
Nettles
Oakley

Pirkle
Solomon
Taylor
Thomas

—40

And said resolution S. J. R. 45 was read and referred to the Standing Committee on Rules.

RECESS

On motion of Mr. Dawkins the House recessed for five minutes.

The House reconvened. The Speaker called the House to order.

REPORT OF RULES COMMITTEE

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report.

By Messrs. Shelton, Flowers, Lamberth, Roberts, Metcalf, Skidmore, Allen and Cantrell:

S. J. R. 42. Be it Resolved by the Senate of Alabama, the House or Representatives Concurring:

1. That there shall be a joint legislative committee to study the dairy industry in the State of Alabama and to recommend such legislation as is necessary to cure inequities in that industry and to develop further the market for dairy products produced in Alabama.

2. The committee shall undertake such a study forthwith, and shall report its findings and recommendations for legislation on or before the twenty-fifth legislative day of the current session of the Legislature.

3. The committee shall be composed of the chairman of the House Committee on Health, the chairman of the House Committee on Agriculture, the Speaker of the House of Representatives, and two other members of the House appointed by the Speaker; the chairman of the Senate Committee on Public Health, the chairman of the Senate Committee on Agriculture, the President of the Senate, and two other members of the Senate appointed by the President of the Senate. The members of the committee provided for herein shall receive no additional compensation for the services required of them hereunder.

4. The President of the Senate shall serve as chairman of the committee, and the Speaker of the House shall serve as vice-chairman.

And S. J. R. 42 was concurred in and adopted.

REPORT OF RULES COMMITTEE

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report.

By Messrs. Goodwin, Roberts, Lamberth, Flowers, Leonard, Metcalf, Jones, Van Antwerp, Vann, Skidmore and Allen:

S. J. R. 45. Relative to inviting the Governor of Michigan, Honorable G. Mennen Williams, to address a joint session of the Legislature of Alabama at any time which may be convenient to him.

And S. J. R. 45 was lost.

Yeas 31; Nays 60.

Yeas:

Mr. Speaker	deGraffenried	Hawkins	Nice
Brassell	Dement	Huddleston	Nolen
Brewer	Edwards (Escambia)	Johnson (Elmore)	Oden
Broadfoot	Ferrell	Kelly	Simon
Brown (Lamar)	Gist	Law	Speaks
Callahan	Goodwyn	Lee (Lawrence)	Stembridge
Davis	Gregory	Money	Tyson
Dawkins	Haltom	Murphy	

—31

Nays:

Messrs.	Faulk	Killough	Oakley
Adams	Franklin	Kirkham	Payne
Albea	Grouby	Lee (Barbour)	Perry
Ashworth	Hain	Locke (Choctaw)	Pirkle
Bassett	Hall	Locke (Perry)	Ramey
Boyd	Hardy	Love	Richardson
Bradford	Harrison	McClendon	Solomon
Brannan	Harvey	McKay	Steagall
Branyon	Hodges	McLendon	Stokes
Brooks	Holliman	McNider	Summerlin
Brown (Lee)	Hunt	Martin	Taylor
Cornett	Jenkins	Mathison	Thomas
Crook	Johnson (Tallapoosa)	Meeks	Vacca
DeSear	Kaul	Molette	Ward
Dickson	Kendall	Nettles	Windle
Edwards (Jefferson)			

—60

On motion of Mr. Thomas, his motion to reconsider the vote by which the resolution, S. J. R. 45, was lost, was laid upon the table.

MESSAGE FROM THE SENATE**Mr. Speaker:**

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 35. Relative to creating Judiciary Advisory Council, appointing members of the Legislature as members of said Council.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Skidmore and Metcalf.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Dawkins the House concurred in and adopted the Senate amendment to the resolution, H. J. R. 35, said Senate amendment being as follows:

Amend Paragraph Numbered "2" by changing it to read after amendment:

2. The Judiciary Advisory Council shall consist of three members from the Senate, of whom one shall be the Lieutenant Governor, and

four members from the House of Representatives, of whom one shall be the Speaker of the House, said members to be appointed by the Lieutenant Governor and Speaker of the House, respectively, and the members of the Council shall select one of their number to be chairman.

AMENDMENT TO HOUSE JOINT RESOLUTION NO. 35

At the end of Section 8, as amended, strike out the figures \$50,000, and insert in lieu thereof the words and figures "Thirty-Five Thousand (\$35,000.00) Dollars."

BILLS ON THIRD READING RESUMED

H. 244. To amend further Section 752 of Title 51, Code of Alabama (1940), and to define further the term "wholesale sale" or "sale at wholesale" within the meaning of the sales tax act.

Was taken up.

Messrs. Davis and Windle offered the following substitute for the bill, H. 244:

SUBSTITUTE FOR H-244

A BILL TO BE ENTITLED AN ACT

To amend further Section 752 of Title 51, Code of Alabama (1940), and to define further the term "wholesale sale" or "sale at wholesale" within the meaning of the sales tax act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 752 of Title 51, Code of Alabama (1940), as amended, is amended further to read as follows:

(1) The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: (a) The term "person" or the term "company" herein used interchangeably, includes any individual, firm, co-partnership, association, corporation, receiver, trustee or any other group or combination acting as a unit and the plural as well as the singular number, unless the intention to give a more limited meaning is disclosed by the context. (b) The term "department" means the department of revenue of the State of Alabama. (c) The term "commissioner" means the commissioner of revenue of the State of Alabama. (d) The term "tax year" or "taxable year" means the calendar year. (e) The term "sale" or "sales" includes installment and credit sales and the exchange of properties as well as the sale thereof for money, every closed transaction constituting a sale. (f) The term "gross proceeds of sales" means the value proceeding or accruing from the sale of tangible personal property (and including the proceeds from the sale of any property handled on consignment by the taxpayer), including merchandise of any kind and character without any deduction on account of the cost of the property sold, the cost of the materials used, labor or service cost, interest paid, or any other expenses whatsoever, and without any deductions on account of losses; provided that cash discounts allowed and taken on sales shall not be included, and "gross proceeds of sales" shall not include the sale price of property returned by customers when the full sales price thereof is refunded either in cash or by credit. Said term "gross proceeds of sale" shall also mean and include the reasonable and fair market value of any tangible personal property previously purchased at wholesale which is withdrawn

or used from the business or stock and used or consumed in connection with said business, and shall also mean and include the reasonable and fair market value of any tangible personal property previously purchased at wholesale which is withdrawn from the business or stock and used or consumed by any person so withdrawing the same, except property which has been previously withdrawn from such business or stock and so used or consumed and with respect to which property the tax has been paid because of such previous withdrawal, use or consumption, and except property which enters into and becomes an ingredient or component part of tangible personal property or products manufactured or compounded for sale and not for the personal and private use or consumption of any person so withdrawing, using or consuming the same. (g) The word "taxpayer" means any person liable for taxes hereunder. (h) The term "gross receipts" means the value proceeding or accruing from the sale of tangible personal property, including merchandise and commodities of any kind and character, all receipts actual and accrued, by reason of any business engaged in (not including, however, interest, discounts, rentals of real estate or royalties) and without any deduction on account of the cost of the property sold, the cost of the materials used, labor or service cost, interest paid, or other expenses whatsoever and without any deductions on account of losses. Said term "gross receipts" shall also mean and include the reasonable and fair market value of any tangible personal property previously purchased at wholesale which is withdrawn or used from the business or stock and used or consumed in connection with said business, and shall also mean and include the reasonable and fair market value of any tangible personal property previously purchased at wholesale which is withdrawn from the business or stock and used or consumed by any person so withdrawing the same, except property which has been previously withdrawn from such business or stock and so used or consumed and with respect to which property the tax has been paid because of such previous withdrawal, use or consumption, and except property which enters into and becomes an ingredient or component part of tangible personal property or products manufactured or compounded for sale and not for personal and private use or consumption of any person so withdrawing, using or consuming the same. (i) The term "wholesale sale" or "sale at wholesale" means a sale of tangible personal property by wholesalers to licensed retail merchants, jobbers, dealers, or other wholesalers for resale and does not include a sale by wholesalers to users or consumers, not for resale. The term "wholesale sale" shall include a sale of tangible personal property or products (including iron ore) to a manufacturer or compounder which enters into and becomes an ingredient or component part of the tangible personal property or products which he manufactures or compounds for sale, and the furnished container and label thereof. (j) The term "sale at retail" or "retail sale" shall mean all sales of tangible personal property except those above defined as wholesale sales. The quantities of goods sold or prices at which sold, are immaterial in determining whether or not a sale is at retail. Sales of building materials to contractors, builders, or landowners for resale or use in the form of real estate are retail sales in whatever quantity sold. Sales of tangible personal property or products to manufacturers, quarry operators, mine operators or compounders, which are used or consumed by them in manufacturing, mining, quarrying or compounding and do not become an ingredient or component part of the tangible personal property manufactured or compounded are retail sales. The term "sale at retail" or "retail sale" shall mean and include the withdrawal, use or consumption of any tangible personal property by anyone who purchases same at wholesale, except property which has been previously withdrawn from the business or stock and so used or consumed and with respect to which property the tax has been paid because of such previous withdrawal,

use or consumption, and except property which enters into and becomes an ingredient or component part of tangible personal property or products manufactured or compounded for sale and not for the personal and private use or consumption of any person so withdrawing, using or consuming the same; and such wholesale purchaser shall report and pay the taxes thereon. (k) The word "business" as used in this article, shall include all activities engaged in, or caused to be engaged in, with the object of gain, profit, benefit or advantage, either direct or indirect, and not excepting sub-activities producing marketable commodities used or consumed in the main business activity, each of which sub-activities shall be considered business engaged in, taxable in the class in which it falls. (2) The use within this state of tangible personal property by the manufacturer thereof, as building materials, in the performance of a construction contract, shall, for the purposes of this article be considered as a retail sale thereof by such manufacturer, who shall also be construed as the ultimate consumer of such materials or property, and who shall be required to report such transaction and pay the sales tax thereon, based upon the reasonable and fair market price thereof at the time and place where same are used or consumed by him or it. The provisions of this sub-section shall not apply to any tangible personal property which is specifically exempted from the tax levied in this article. (3) It is hereby declared to be the legislative intent not to affect by the provisions of this section the exemptions specifically provided for by sections 755 and 789, as amended, of title 51, Code of Alabama 1940. (4) A sale of lumber by a lumber manufacturer to a trucker for resale is a sale at wholesale as such sales are defined herein where the trucker is either a licensed dealer in lumber or, if a resident of Alabama, has registered with the Department of Revenue and has received therefrom a certificate of such registration or, if a non-resident of this state purchasing lumber for resale outside of Alabama, has furnished to the lumber manufacturer his name, address and the vehicle license number of the truck in which the lumber is to be transported, which name, address and vehicle license number shall be shown on the sales invoice rendered by the lumber manufacturer. The certificate provided for herein shall be valid for the calendar year of its issuance and may be renewed from year to year on application to the Department of Revenue on or before the thirty-first day of January of each succeeding year; provided, however, that if not renewed the certificate shall become invalid for the purpose of this chapter on the first day of February.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Brooks	Faulk	Harrison
Adams	Brown (Lamar)	Ferrell	Harvey
Albea	Callahan	Franklin	Hawkins
Ashworth	Cornett	Gist	Hodges
Bassett	Cox	Gregory	Holliman
Boyd	Crook	Grouby	Huddleston
Bradford	Davis	Hain	Hunt
Brannan	Dawkins	Hall	Jenkins
Branyon	deGraffenried	Holtom	Johnson (Elmore)
Brassell	Dement	Hanby	Johnson (Tallapoosa)
Brewer	DeSear	Hardy	Kaul
Broadfoot	Edwards (Escambia)	Hare	Kendall

Kirkham	Martin	Payne	Stembridge
Law	Mathison	Perry	Stokes
Lee (Barbour)	Meeks	Pirkle	Summerlin
Lee (Lawrence)	Molette	Ramey	Taylor
Locke (Choctaw)	Money	Selman	Thomas
Locke (Perry)	Murphy	Shumate	Tyson
Love	Nettles	Simon	Vacca
McClendon	Nolen	Solomon	Ward
McKay	Oakley	Speaks	Windle
McLendon	Oden	Steagall	Wood
McNider			

—89

And said bill, H. 244, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 1.

Yeas:

Mr. Speaker	deGraffenried	Johnson (Tallapoosa)	Payne
Adams	Dement	Kaul	Perry
Albea	DeSear	Kendall	Pirkle
Ashworth	Edwards (Escambia)	Kirkham	Ramey
Bassett	Faulk	Law	Selman
Boyd	Ferrell	Lee (Barbour)	Shumate
Bradford	Franklin	Lee (Lawrence)	Simon
Brannan	Gist	Locke (Perry)	Solomon
Branyon	Grouby	Love	Speaks
Brassell	Hall	McKay	Steagall
Brewer	Haltom	McLendon	Stembridge
Broadfoot	Hare	McNider	Stokes
Brooks	Harrison	Martin	Summerlin
Brown (Lamar)	Harvey	Mathison	Taylor
Callahan	Hawkins	Meeks	Thomas
Cornett	Hodges	Money	Tyson
Cox	Huddleston	Murphy	Vacca
Crook	Hunt	Nettles	Ward
Davis	Jenkins	Nolen	Wood
Dawkins	Johnson (Elmore)	Oakley	

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Nays: Mr. Locke (Choctaw).

—1

MOTION ADOPTED

The motion of Mr. Davis to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 296, was adopted.

Yeas 84; Nays 4.

Yeas:

Mr. Speaker	Brannan	Brown (Lee)	Edwards (Escambia)
Adams	Branyon	Callahan	Edwards (Jefferson)
Albea	Brassell	Cornett	Faulk
Ashworth	Brewer	Crook	Ferrell
Bassett	Broadfoot	Davis	Franklin
Boyd	Brooks	DeSear	Gist
Bradford	Brown (Lamar)	Dickson	Grouby

Hain	Johnson (Tallapoosa)	Mathison	Shumate
Hall	Kaul	Meeks	Solomon
Haltom	Kendall	Molette	Speaks
Hanby	Law	Money	Steagall
Hardy	Lee (Barbour)	Murphy	Stembridge
Hare	Lee (Lawrence)	Nettles	Stokes
Harrison	Locke (Choctaw)	Nolen	Summerlin
Harvey	Locke (Perry)	Oakley	Taylor
Hodges	Love	Payne	Thomas
Holliman	McClendon	Perry	Tyson
Huddleston	McKay	Pirkle	Vacca
Hunt	McLendon	Ramey	Ward
Jenkins	McNider	Richardson	Windle
Johnson (Elmore)	Martin	Selman	Wood

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Nays: Messrs. Dement, Gregory, Hawkins and Nice.

—4

And the bill:

H. 296 (with substitute). Relating to the public schools: To establish a modern placement system whereby pupils may be so assigned to the various public schools of the state as to promote the full development and utilization of the individual talents of the pupils, and to implement this system by providing for each school attendance district a board of placement, members of which shall be judicial officers of the State authorized to make determinations respecting the rights of school pupils in that district; providing for the appointment, term of office, and compensation of members of such boards, authorizing appeals from decisions of such boards, and directing city and county superintendents of education and city and county boards of education to furnish certain assistance to the boards of placement.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Education, said committee substitute being as follows:

SUBSTITUTE FOR H. B. 296

A BILL TO BE ENTITLED AN ACT

To declare the public policy of the State of Alabama with respect to public education; to provide for further study and analysis as a basis for general reconsideration of the efficiency of the system in promoting the progress of pupils in accordance with their aptitudes and in furtherance of social order and good will; pending such reconsideration to authorize city and county Boards of Education to provide for the continuation or establishment of units, facilities and curricula and the placement of pupils therein so as to assure the best practical educational curriculum and environment for the individual pupils consistent with the educational progress of others and the paramount function of the State's police power to assure social order, good will and the public welfare; to establish the right of parents or guardians to withdraw children from public schools under certain conditions; to provide for appeals from the decisions of such Boards of Education in certain cases; to repeal Sections 56, 93, 163, 167, 318 and 319 of Title 52 of the Code of Alabama of 1940.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The legislature finds and declares that the rapidly increasing demands upon the public economy for the continuance of education as a public function and the efficient maintenance and public support of the public school system require, among other things, consideration of a more flexible and selective procedure for the establishment of units, faculties and curricula and as to the qualification and assignment of pupils.

The legislature also recognizes the necessity for a procedure for the analysis of the qualifications, motivations, aptitudes and characteristics of the individual pupils for the purpose of placement, both as a function of efficiency in the educational process and to assure the maintenance of order and good will indispensable to the willingness of its citizens and taxpayers to continue an educational system as a public function, and also as a vital function of the sovereignty and police power of the State.

Section 2. To the ends aforesaid, the State Board of Education shall make continuing studies as a basis for general reconsideration of the efficiency of the educational system in promoting the progress of pupils in accordance with their capacity and to adapt the curriculum to such capacity and otherwise conform the system of public education to social order and good will. Pending further studies and recommendations by the school authorities the legislature considers that any general or arbitrary reallocation of pupils heretofore entered in the public school system according to any rigid rule of proximity of residence or in accordance solely with request on behalf of the pupil would be disruptive to orderly administration, tend to invite or induce disorganization and impose an excessive burden on the available resources and teaching and administrative personnel of the schools.

Section 3. Pending further studies and legislation to give effect to the policy declared by this Act, the respective city and county Boards of Education, hereinafter referred to as "local Boards of Education," are not required to make any general reallocation of pupils heretofore entered in the public school system and shall have no authority to make or administer any general or blanket order to that end from any source whatever, or to give effect to any order to that end from any source whatever, or to give effect to any order which shall purport to or in effect require transfer or initial or subsequent placement of any individual or group in any unit or facility without a finding by the local Board or authority designated by it that such transfer or placement is as to each individual pupil consistent with the test of the public and educational policy governing the admission and placement of pupils in the public school system prescribed by this Act.

Section 4. Subject to appeal in the limited respect herein provided, each local Board of Education shall have full and final authority and responsibility for the assignment, transfer and continuance of all pupils among and within the public schools within its jurisdiction, and may prescribe rules and regulations pertaining to those functions. Subject to review by the Board as provided herein, the Board may exercise this responsibility directly or may delegate its authority to the Superintendent of Education or other person or persons employed by the Board. In the assignment, transfer or continuance of pupils among and within the schools, or within the classroom and other facilities thereof, the following factors and the effect or results thereof shall be considered, with respect to the individual pupil, as well as other relevant matters: Available room and teaching capacity in the various schools; the availability of transportation facilities; the effect of the admission of new pupils upon established or proposed academic programs; the suitability of established curricula for particular pupils; the adequacy of the pupil's academic preparation for admission to a particular school and

curriculum; the scholastic aptitude and relative intelligence or mental energy or ability of the pupil; the psychological qualification of the pupil for the type of teaching and association involved; the effect of admission of the pupil upon the academic progress of other students in a particular school or facility thereof; the effect of admission upon prevailing academic standards at a particular school; the psychological effect upon the pupil of attendance at a particular school; the possibility or threat of friction or disorder among pupils or others; the possibility of breaches of the peace or ill will or economic retaliation within the community; the home environment of the pupil; the maintenance or severance of established social and psychological relationships with other pupils and with teachers; the choice and interests of the pupil; the morals, conduct, health and personal standards of the pupil; the request or consent of parents or guardians and the reasons assigned therefor.

Local Boards of Education may require the assignment of pupils to any or all schools within their jurisdiction on the basis of sex, but assignments of pupils of the same sex among schools reserved for that sex shall be made in the light of the other factors herein set forth.

Section 5. Local Boards of Education may, by mutual agreement, provide for the admission to any school of pupils residing in adjoining districts whether in the same or different counties, and for transfer of school funds or other payments by one Board to another for or on account of such attendance.

Section 6. Subject to the provisions of law governing the tenure of teachers, local Boards of Education shall have authority to assign and re-assign or transfer all teachers in schools within their jurisdiction.

Section 7. A parent or guardian of a pupil may file in writing with the local Board objections to the assignment of the pupil to a particular school, or may request by petition in writing assignment or transfer to a designated school or to another school to be designated by the Board. Unless a hearing is requested, the Board shall act upon the same within 30 days, stating its conclusions. If a hearing is requested the same shall be held beginning within 30 days from receipt by the Board of the objection or petition, at a time and place within the school district designated by the Board.

The Board may itself conduct such hearing or may designate not less than three of its members to conduct the same and may provide that the decision of the members designated or a majority thereof shall be final on behalf of the Board.

In addition to hearing such evidence relevant to the individual pupil as may be presented on behalf of the petitioner, the Board shall be authorized to conduct investigations as to any objection or request, including examination of the pupil or pupils involved, and may employ such agents and others, professional and otherwise, as it may deem necessary for the purpose of such investigations and examinations.

Section 8. Any other provisions of law notwithstanding, no child shall be compelled to attend any school in which the races are commingled when a written objection of the parent or guardian has been filed with the Board of Education. If in connection therewith a requested assignment or transfer is refused by the Board, the parent or guardian may notify the Board in writing that he is unwilling for the pupil to remain in the school to which assigned, and the assignment and further attendance of the pupil shall thereupon terminate; and such child shall be entitled to such aid for education as may be authorized by law.

Section 9. The action of the Board shall be final except that in the event that the pupil or the parent or guardian, if any, of any minor

or, if none, of the custodian of any such minor shall, as next friend, file exception before such Board to the final action of the Board as constituting a denial of any right of such minor guaranteed under the Constitution of the United States, and the Board shall not, within fifteen days reconsider its final action, an appeal may be taken from the final action of the Board, on that ground alone, to the Circuit Court in Equity of the Judicial Circuit in which the School Board is located, by filing with the Register within thirty days from the date of the Board's final decision a petition stating the facts relevant to such pupil as bearing on the alleged denial of his rights under the Constitution, accompanied by bond with sureties approved by the Register, conditioned to pay all costs of appeal if the same shall not be sustained.

On such appeal the Circuit Court may, as in other equity cases, summons a jury for the determination of any issue or issues of fact presented. Appeal to the Supreme Court of Alabama may be taken from the decision of the Circuit Court in the same manner as appeals may be taken in other suits in equity, either by the appellant or by such Board of Education.

Section 10. Sections 56, 93, 163, 167, 318 and 319 of Title 52 of the Code of Alabama of 1940 are hereby repealed.

Section 11. The provisions of this Act are severable, and if any section or provision of this Act shall be held to be in violation of the Constitution of Alabama or of the United States, such decision shall not affect the validity or enforceability of the remainder of this Act.

Section 12. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 99; Nays 0

Yeas:

Mr. Speaker	Edwards (Escambia)	Kendall	Payne
Adams	Edwards (Jefferson)	Killough	Perry
Albea	Faulk	Kirkham	Pirkle
Ashworth	Ferrell	Lackey	Pruitt
Bassett	Franklin	Law	Ramey
Boyd	Gilchrist	Lee (Barbour)	Reynolds
Bradford	Gist	Lee (Lawrence)	Richardson
Brannan	Goodwyn	Locke (Choctaw)	Roberts
Branyon	Grouby	Locke (Perry)	Selman
Brassell	Hain	Love	Shumate
Brewer	Hall	McClendon	Simon
Broadfoot	Haltom	McKay	Solomon
Brooks	Hanby	McLendon	Speaks
Brown (Lamar)	Hardy	McNider	Steagall
Brown (Lee)	Hare	Martin	Stembridge
Callahan	Harrison	Mathews	Stokes
Cornett	Harvey	Mathison	Summerlin
Cox	Hodges	Meeks	Taylor
Crook	Holliman	Molette	Thomas
Davis	Huddleston	Money	Tyson
Dawkins	Hunt	Murphy	Vacca
deGraffenried	Jenkins	Nettles	Ward
Dement	Johnson (Elmore)	Nice	Windle
DeSear	Johnson (Tallapoosa)	Oakley	Wood
Dickson	Kaul	Oden	

And said bill, H. 296, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 97; Nays 3.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kendall	Oden
Adams	Faulk	Killough	Payne
Albea	Ferrell	Kirkham	Perry
Ashworth	Franklin	Lackey	Pirkle
Bassett	Gilchrist	Law	Pruitt
Boyd	Gist	Lee (Barbour)	Ramey
Bradford	Goodwyn	Lee (Lawrence)	Richardson
Brannan	Grouby	Locke (Choctaw)	Roberts
Branyon	Hain	Locke (Perry)	Selman
Brassell	Hall	Love	Shumate
Brewer	Haltom	McClendon	Simon
Broadfoot	Hanby	McKay	Solomon
Brooks	Hardy	McLendon	Speaks
Brown (Lamar)	Hare	McNider	Steagall
Brown (Lee)	Harrison	Martin	Stembridge
Callahan	Harvey	Mathews	Stokes
Cornett	Hodges	Mathison	Summerlin
Cox	Holliman	Meeks	Taylor
Crook	Huddleston	Molette	Thomas
Davis	Hunt	Money	Tyson
Dawkins	Jenkins	Murphy	Vacca
deGraffenried	Johnson (Elmore)	Nettles	Ward
DeSear	Johnson (Tallapoosa)	Nolen	Windle
Dickson	Kaul	Oakley	Wood
Edwards (Escambia)			

—97

Nays: Messrs. Dement, Hawkins and Nice.

—3

On motion of Mr. Martin, his motion to reconsider the vote by which the bill, H. 296, as amended, was passed, was laid upon the table.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Crook	Hanby	Lee (Lawrence)
Adams	Davis	Hardy	Locke (Choctaw)
Albea	deGraffenried	Hare	Locke (Perry)
Ashworth	Dement	Harrison	Love
Bassett	DeSear	Harvey	McClendon
Boyd	Dickson	Hodges	McKay
Bradford	Edwards (Escambia)	Holliman	McLendon
Brannan	Edwards (Jefferson)	Huddleston	McNider
Branyon	Faulk	Hunt	Martin
Brassell	Ferrell	Jenkins	Mathews
Brewer	Franklin	Johnson (Elmore)	Mathison
Broadfoot	Gilchrist	Johnson (Tallapoosa)	Meeks
Brooks	Gist	Kaul	Molette
Brown (Lamar)	Goodwyn	Kendall	Money
Brown (Lee)	Grouby	Kirkham	Murphy
Callahan	Hain	Lackey	Nettles
Cornett	Hall	Law	Nolen
Cox	Haltom	Lee (Barbour)	Oakley

Oden	Richardson	Steagall	Tyson
Payne	Roberts	Stembridge	Vacca
Perry	Selman	Summerlin	Ward
Pirkle	Simon	Taylor	Windle
Pruitt	Solomon	Thomas	Wood
Ramey	Speaks		

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MOTION TO ADJOURN LOST

The motion of Mr. Stokes to adjourn until Friday, July 15, 1955, at eleven o'clock A. M. was lost.

Yeas 23; Nays 66.

Yeas:

Messrs.	Faulk	McNider	Perry
Adams	Hodges	Mathews	Pirkle
Albea	Johnson (Tallapoosa)	Molette	Richardson
Bradford	Kaul	Murphy	Stokes
Cox	Lee (Barbour)	Nice	Taylor
Edwards (Jefferson)	Locke (Perry)	Oakley	Windle

—23

Nays:

Mr. Speaker	Edwards (Escambia)	Hunt	Nolen
Ashworth	Franklin	Jenkins	Payne
Bassett	Gilchrist	Johnson (Elmore)	Pruitt
Boyd	Gist	Kendall	Reynolds
Branyon	Goodwyn	Kirkham	Roberts
Brassell	Gregory	Law	Selman
Brewer	Grouby	Lee (Lawrence)	Shumate
Broadfoot	Hain	Locke (Choctaw)	Simon
Brooks	Hall	Love	Solomon
Brown (Lee)	Haltom	McClendon	Speaks
Callahan	Hanby	McKay	Steagall
Cornett	Hare	McLendon	Summerlin
Crook	Harrison	Martin	Thomas
Dawkins	Harvey	Mathison	Tyson
deGraffenried	Hawkins	Meeks	Vacca
Dement	Holliman	Nettles	Wood
Dickson	Huddleston		

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ADJOURNMENT

On motion of Mr. Grouby the House adjourned until Friday, July 15, 1955, at ten o'clock A. M.

Yeas 48; Nays 44.

Yeas:

Messrs.	Brown (Lee)	Franklin	Johnson (Tallapoosa)
Adams	Callahan	Gist	Killough
Ashworth	Cornett	Grouby	Kirkham
Bassett	Cox	Hain	Lee (Barbour)
Boyd	Crook	Hanby	Love
Bradford	deGraffenried	Hardy	McClendon
Branyon	Dickson	Hodges	McKay
Brassell	Edwards (Escambia)	Holliman	McLendon
Brooks	Faulk	Jenkins	McNider

Mathison	Oakley	Shumate	Taylor
Molette	Pirkle	Solomon	Thomas
Murphy	Selman	Stembridge	Windle
Nice			

—48

Nays:

Mr. Speaker	Gregory	Kendall	Perry
Albea	Hall	Law	Pruitt
Brewer	Haltom	Locke (Choctaw)	Reynolds
Broadfoot	Hare	Locke (Perry)	Richardson
Brown (Lamar)	Harrison	Martin	Roberts
Dawkins	Harvey	Mathews	Simon
Dement	Hawkins	Meeks	Speaks
DeSear	Huddleston	Money	Summerlin
Ferrell	Hunt	Nettles	Tyson
Gilchrist	Johnson (Elmore)	Nolen	Vacca
Goodwyn	Kaul	Payne	Wood

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TWENTY-FIRST DAY

House of Representatives
Montgomery, Alabama
Friday, July 15, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. D. C. McAtee, Pastor, Central Baptist Church, Phenix City, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dement	Hunt	Meeks
Adams	DeSear	Jenkins	Molette
Albea	Dickson	Johnson (Elmore)	Money
Ashworth	Edwards (Escambia)	Johnson (Tallapoosa)	Murphy
Bassett	Edwards (Jefferson)	Kaul	Nettles
Boyd	Faulk	Kelly	Nice
Bradford	Ferrell	Kendall	Nolen
Brannan	Franklin	Killough	Oakley
Branyon	Gilchrist	Kirkham	Payne
Brassell	Goodwyn	Lackey	Perry
Brewer	Gregory	Law	Pirkle
Broadfoot	Grouby	Lee (Barbour)	Pruitt
Brooks	Hain	Lee (Lawrence)	Ramey
Brown (Lamar)	Hall	Locke (Choctaw)	Richardson
Brown (Lee)	Haltom	Locke (Perry)	Roberts
Burkhalter	Hardy	Love	Selman
Callahan	Hare	McClendon	Shumate
Cornett	Harrison	McKay	Simon
Cox	Harvey	McLendon	Solomon
Crook	Hawkins	McNider	Speaks
Davis	Hodges	Martin	Steagall
Dawkins	Holliman	Mathews	Stembridge
deGraffenried	Huddleston	Mathison	Stokes

Summerlin
Taylor

Thomas
Tyson

Vacca
Ward

Windle
Wood

—100

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twentieth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the twentieth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the twentieth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H.J.R. 35. Relative to establishing a Judicial Advisory Council.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF RULES COMMITTEE

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report.

By Rules Committee:

H.R. 46. BE IT RESOLVED BY THE HOUSE that the following bills in the order named be made special, paramount and continuing order of business for today, preceding any other business on the Calendar:

H.B. No. 193 Page 1

S.B. No. 34 Page 2

H.B. No. 371 Page 2

S.B. No. 95 Page 2

H.B. No. 343 Page 2

H.B. No. 420 Page 3

H.B. No. 258 Page 3
 H.B. No. 35 Page 3
 H.B. No. 255 Page 14
 H.B. No. 579 Page 31
 H.B. No. 578 Page 32
 H.B. No. 577 Page 32
 H.B. No. 576 Page 33
 H.B. No. 575 Page 33
 H.B. No. 574 Page 34
 H.B. No. 573 Page 34
 H.B. No. 572 Page 34
 H.B. No. 571 Page 35
 H.B. No. 570 Page 35
 H.B. No. 569 Page 35
 H.B. No. 568 Page 36
 H.B. No. 336 Page 15
 H.B. No. 372 Page 14
 H.B. No. 25 Page 7
 S.B. No. 132 Page 38

And H.R. 46 was adopted.

MOTION TO RECOMMIT TABLED

Mr. Speaks moved that the bill,

H. 676. To amend Sections 34 and 100 of Title 11, which relate to the fees and allowances of sheriffs.

be recommitted.

On motion of Mr. Harrison, the motion of Mr. Speaks to recommit the bill, H. 676, was laid upon the table.

Yeas 47; Nays 19.

Yeas:

Messrs.	Crook	Hawkins	Nolen
Ashworth	deGraffenried	Holliman	Oakley
Bassett	Edwards (Escambia)	Kendall	Perry
Boyd	Edwards (Jefferson)	Killough	Pirkle
Bradford	Faulk	Kirkham	Ramey
Branyon	Franklin	Lackey	Richardson
Brassell	Gilchrist	Lee (Barbour)	Selman
Brooks	Hall	Lee (Lawrence)	Solomon
Brown (Lamar)	Haltom	Locke (Choctaw)	Stokes
Brown (Lee)	Hare	McLendon	Thomas
Cornett	Harrison	McNider	Ward
Cox	Harvey	Mathison	Windle

Nays:

Mr. Speaker	Dement	Love	Simon
Brewer	Ferrell	McKay	Speaks
Broadfoot	Gregory	Murphy	Tyson
Callahan	Grouby	Payne	Vacca
Davis	Johnson (Elmore)	Shumate	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S.J.R. 42. Relative to a study of the dairy industry in Ala. by a joint legislative Committee for the purpose of recommending legislation to correct inequities in that industry.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

COMMITTEE APPOINTMENT

Pursuant to the terms of S.J.R. 42, the Speaker announced the appointment of Messrs. Hall and Gilchrist as members of the Committee on the part of the House.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Thomas and Lee (Barbour):

H.J.R. 47. Whereas the city of Phenix City, Alabama, recently received national recognition as one of twenty-two finalists in the All-America Cities Award contest, an annual contest sponsored by the National Municipal League in conjunction with Look Magazine; and

Whereas the purpose of this contest is to honor communities which, through concerted citizen effort, have done a praiseworthy job of solving local governmental or civic problems; and

Whereas it is the opinion of this Legislature that no such achievement is more deserving of recognition and honor than that of the citizens of Phenix City, who fought with courage and resolution to deliver their city from the control of a criminal-political ring which had brought shame and degradation to the name of Phenix City, and to restore their government to the hands of the people; and

Whereas, the winning of an All-America City award would bestow deserved recognition upon the citizens of Phenix City for the courage and steadfastness of spirit displayed by them in their valiant fight against the forces of organized crime, and would assist materially the further social, cultural, and economic advancement of Phenix City, now therefore

Be It Resolved by the Legislature of Alabama, Both Houses Thereof Concurring:

1. That the members of the Legislature hereby offered their most sincere congratulations to the citizens of Phenix City for their outstanding achievement and for the honor received by Phenix City on becoming a finalist in the All-America Cities Award contest.

2. That the Legislature respectfully urges the distinguished members of the All-America Cities jury to give the greatest possible consideration to the selection of Phenix City as an All-America Cities Award winner.

3. That a duly authenticated copy of this resolution be transmitted by the Secretary of State to the National Municipal League, George H. Gallup, President, Carl H. Pforzheimer Building, 47 East 68th Street, New York 21, New York.

On motion of Mr. Thomas the rules were suspended and H.J.R. 47 was adopted.

Also:

By Mr. Fite:

H.R. 48. WHEREAS, important constitutional questions are presented by House Bill Number 631, (a copy of which is attached hereto) now pending in the Legislature of Alabama;

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of Alabama that the Justices of the Supreme Court of Alabama are hereby respectfully requested to render their opinion as provided in Section 34 of Title 13 of the Code of Alabama of 1940 on the following important constitutional questions:

(1) If the bill is enacted into law will it be a local law granting a charter to a corporation, association or individual within the meaning of subsection (6) of Section 104 of the Constitution of Alabama?

(2) If the bill is enacted into law will it be a local law authorizing a district or other political subdivision of a county to issue bonds within the meaning of subsection (17) of Section 104 of the Constitution of Alabama?

(3) If the bill is enacted into law will it be a local law exempting property from taxation within the meaning of subsection (25) of Section 104 of the Constitution of Alabama?

(4) If the bill is enacted into law, will the provisions of Section 11 thereof, authorizing Marion County and municipalities therein, as well as departments, agencies and commissions of the state, to lend, lease, grant, or convey real property to a corporation organized under the act, violate the provisions of Section 93, as amended, or Section 94 of the Constitution of Alabama?

(5) If the bill is enacted into law, will it be a special act conferring corporate powers within the meaning of Section 229 of the Constitution of Alabama?

(6) If the bill is enacted into a law will the provisions of Section 6, authorizing bonds to be issued under the provisions of the bill without obtaining the consent of any department, division, commission, board, bureau, or agency of the State, violate subsection (9) of Section 104 of the Constitution of Alabama in view of the existing provisions of Section 7 of Title 53 of the Code of Alabama of 1940?

(7) If the bill is enacted into law will the provisions of Section 6, authorizing bonds to be issued under the provisions of the bill without obtaining the consent of any department, division, commission, board, bureau, or agency of the State violate subsection (9) of Section 104 of the Constitution of Alabama in view of the existing provisions of Section 309 of Title 48 of the Code of Alabama, 1940?

(8) If the bill is enacted into law will it be a special, private, or local law prohibited by Section 105 of the Constitution of Alabama in view of the existing provisions of Section 178 of Title 10 of the Code of Alabama?

(9) If the bill is enacted into law will it violate the provisions of Section 234 of the Constitution of Alabama?

(10) Did the published notice of intention to apply for passage of the bill state the substance of the proposed law within the meaning of Section 106 of the Constitution of Alabama?

On motion of Mr. Hawkins the rules were suspended and H.R. 48 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 537. To make an appropriation to pay the expenses of the Legislature.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By the Rules Committee:

S.J.R. 48. RESOLVED By the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again on the 19th day of July, 1955.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Harrison the rules were suspended and the House concurred in and adopted the S.J.R. 48 set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 537. To make an appropriation to pay the expenses of the Legislature.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the House:

H.J.R. 43. Relative to creating a joint legislative committee to investigate the United Telephone and Telegraph Company and the Clio Telephone Company to determine whether the service provided by such companies is adequate or obtainable.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Flowers, Reeves and Metcalf.

J. E. SPEIGHT,
Secretary.

COMMITTEE APPOINTMENT

Pursuant to the terms of H.J.R. 43, the Speaker announced the appointment of Messrs. Lee (Barbour), Stokes and Solomon as members of the Committee on the part of the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Bradford:

S.J.R. 44. Whereas there has been introduced in the Legislature a number of bills which would create barriers to the free flow of commerce and trade between the State of Alabama and our neighboring states; and

Whereas it stands to reason that the states which suffer from such discriminatory action by the State of Alabama will resort to the enactment of retaliatory legislation in protest against interference with the free flow of their products into the State of Alabama; and

Whereas the further erection of such trade barriers among Alabama and her neighboring states would be detrimental to the greater economic development and prosperity which might be achieved through an uninterrupted flow of trade from state to state; now therefore

Be It Resolved by the Senate of Alabama, The House of Representatives Concurring: That the Legislature refuse to consider any further legislation erecting interstate trade barriers; and that if a question of health is involved in any matter, standards providing for the mutual protection of the citizens of Alabama and of the other states concerned

be worked out by agreement among such states, so as to promote an absolutely free flow of trade among these United States.

Be it further resolved, that the State Commission on Interstate Cooperation be urged to do all within its power to cooperate with other states in seeking means to repeal existing trade barriers and to prevent the erection of future barriers, all toward the development of the mutual economic advantage which may be derived from the free flow of commerce and trade between Alabama and her neighboring states.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The S.J.R. 44 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H.J.R. 47. Extending congratulations of the Legislature to citizens of Phenix City for honor relative to the All-American Cities Award Contest.

J. E. SPEIGHT,
Secretary.

BILLS ON SECOND READING

Mr. Brassell, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 102 (With Substitute). To amend Section 107 of Title 13, Code of Alabama (1940), which relates to the appointment, duties, and compensation of certain employees for the Court of Appeals.

Mr. Brassell, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 611. To amend Section 3 of Act No. 724, H. 416, approved September 17, 1953 (Acts of Alabama, 1953, p. 979), which provides for the appointment of law clerks by the presiding judge and the associate judges of the Court of Appeals, prescribes their duties and fixes their compensation.

H. 610. To amend Section 3 of Act No. 443, H. 414, approved August 28, 1953 (Acts of Alabama, 1953, p. 549), which provides for the appointment of law clerks, by the chief justice and the associate justices of the supreme court, prescribes their duties and fixes their compensation.

H. 387. To amend further Section 25 of Title 34, Code of Alabama (1940), which relates to suits for divorce.

H. 556. To amend Sections 1, 2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 18 of Act No. 682, adopted at the 1951 Regular session of the Legis-

lature of Alabama, as heretofore amended, so as to authorize any county public building authority now or hereafter organized thereunder to acquire and construct one or more buildings for the use of any municipality or public corporation in the county in which such authority is organized and to lease the same to such municipality or public corporation, to authorize any such county public building authority to issue revenue bonds in lieu of revenue warrants, to provide that such bonds shall constitute negotiable instruments, to specify that any mortgage executed by any such authority shall contain such provisions as its board of directors shall deem advisable, and to authorize the board of directors of any such authority to adopt a resolution, whenever it does not have any bonds or warrants outstanding, declaring that such authority be dissolved.

H. 673. To amend Section 128 of Title 5, Code of Alabama (1940), which relates to deposits of deceased persons.

H. 624. To amend Section 509, Title 37, Code of Alabama (1940), which relates to ad quod damnum proceedings by municipalities; providing that notice of such proceedings must be recorded in the office of the probate judge.

H. 623. To amend Sections 4, 16, and 21 of Title 19, Code of Alabama (1940), which relates to eminent domain proceedings; providing that notice of such proceedings must be recorded in the *lis pendens* record in the office of the judge of probate, and that notice of orders of condemnation shall also be recorded in such office.

H. 676. To amend Sections 34 and 100 of Title 11, which relate to the fees and allowances of sheriffs.

Mr. Vacca, Vice-Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 638. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

H. 639. To validate and declare legal acts and proceedings heretofore done or taken to incorporate gas districts under Act No. 762 of the General Acts of 1951 of Alabama, approved September 11, 1951, entitled "An Act to provide for and authorize the incorporation of gas districts, as public corporations of the State of Alabama, for the purpose of acquiring, constructing, owning, operating and financing gas transmission systems and gas distribution systems, or any one or more of such systems, for the use and benefit of those municipalities which join in and approve the incorporation of such districts; to provide for the approval, execution, filing, recording and amendment of the certificate of incorporation of such districts and the dissolution thereof; to grant powers to such districts including the power of eminent domain, and the means of exercising such powers; to provide for a board of directors and officers to exercise the powers and direct the affairs of such districts; to authorize such districts to issue and sell bonds payable solely from the revenues of its gas system or systems; to provide for the execution and delivery by such districts of mortgages, deeds of trust and other instruments of security for the benefit of the holders of such bonds; to provide for the remedies and rights available to the holders of the bonds; to provide that the property and income of such districts shall be tax exempt; to provide that the bonds of such districts and the interest thereon shall be tax exempt; to provide that deeds, mortgages,

trust indentures and other instruments of, by, or to such districts shall be tax exempt; to provide for the use and utilization and distribution of the revenues of the gas systems of such districts; to exempt such districts from the jurisdiction and control of the Public Service Commission and all other regulatory bodies and agencies of the State; to regulate the use of the proceeds of sale of any such bonds; to prohibit the duplication of existing privately owned gas systems and to provide for the acquisition thereof by such districts; to provide for the use of the public roads by such districts; and to make provisions with respect to the acquisition, construction, maintenance, operation and financing of a gas system or systems by such districts, as a public corporation of the State of Alabama", notwithstanding irregularities in such acts or proceedings.

H. 640. To amend Section 520 of Title 37 of the Code of Alabama of 1940 to provide that the failure to fix and establish the grade of any street, avenue, alley or sidewalk about to be improved or the grade of the curb on each side thereof, shall not affect the validity of any contract, assessment, bond, warrant, note or other obligation of the municipality executed, made or issued or to be executed, made or issued in connection with such improvements.

Mr. Vacca, Vice-Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 643 (With Amendment). To provide that every public corporation organized under the provisions of Act No. 175, adopted at the 1951 Regular Session of the Legislature and approved June 29, 1951, entitled "An Act to provide for and authorize for any municipality in the State the incorporation of a Board, as a public corporation, for the purpose of owning, operating and financing a waterworks plant and system, a sanitary sewer system, a gas plant and system and an electric plant and system, or any one or more of such plants or systems, within and without the municipality authorizing the incorporation of such board and in any other municipality; to provide for the powers, authorities and duties of such Board; to authorize such Board to purchase, construct, or acquire, own, maintain and operate a waterworks plant and system, a sanitary sewer system, a gas plant and system and an electric plant and system, or any one or more thereof, and all useful appurtenances, properties and franchises incident thereto; to authorize the amendment of the certificate of incorporation of such Boards and to authorize the amendment of the certificate of incorporation of any like board incorporated under the provisions of the Alabama Code of 1940, Title 37, Sections 394 to 402, or as amended, so as to bring such board within the provisions of this Act; to authorize each such Board to borrow money and issue revenue bonds, payable solely from the revenues derived from the operation of such plant or plants or system or systems, without regard to the system or systems with respect to which the money may be borrowed and the bonds issued; to authorize such Board to pledge all or any part of its revenue and income to the payment of such bond; to regulate the issuance, sale, and refunding of such bonds and other matters in connection therewith; to provide for the use of the revenues of such system or systems; to provide for the use of the proceeds of such bonds; to provide that the property, income, bonds and interest thereon, of such Boards and conveyances, mortgages, and deeds of trust by and to such Boards shall be exempt from all taxation; to confer on such Boards the right of eminent domain; to provide for consolidating two or more systems owned by any such Board; to

provide for the vesting of title of a plant and system in the municipality where they are located upon the payment in full of the bonds payable from the revenues of such system; to provide for the application and effect of Alabama Code of 1940, Title 37, Section 392 to 402, as amended, Title 48, Section 342 to 349 as amended, and Act No. 154, of the General Acts of 1947", or as the provisions of said Act may at any time be amended, and every public corporation the Certificate of Incorporation of which is amended under said Act as the provisions thereof may at any time be amended, in addition to the powers and authorities otherwise vested in such public corporation, is authorized to transfer and convey any system or systems for the operation of which the corporation was organized or its certificate of incorporation amended, to the municipality which authorized the incorporation of the corporation or to any other public corporation authorized by such municipality to be incorporated under any of the aforesaid provisions of law, provided that a resolution authorizing such transfer and conveyance shall have theretofore been adopted by the board of directors or other governing body of such transferor public corporation, and provided further that the transferee municipality or public corporation shall assume and agree to pay, as the same become due and payable, the principal of and interest on any obligations of such transferor public corporation that are payable from or secured by the revenues from the system or systems so transferred, or shall pay to such transferor public corporation, at the time of the transfer, an amount of money which the board of directors or other governing body of such transferor public corporation shall determine to be sufficient to provide funds to retire any such obligations.

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 698. To amend Section 4 and Section 5 of an Act entitled an Act "To provide for appointment of official court reporters of the circuit courts in those circuits which are now, or which may hereafter be, composed of only one county and having not less than four nor more than nine circuit judges; to provide for their qualifications, to fix their compensation, to define their duties and provide for the appointment of special reporters in such cases; and to repeal all laws which may be in conflict herewith", approved April 8, 1955.

H. 699. To provide further for the compensation of the circuit solicitor in circuits composed of one county and having not less than four nor more than nine circuit judges.

H. 701. To amend Sections 5, 17, 20, and 25 of Act No. 187, S. 339, approved June 29, 1951 (Acts of Alabama 1951, Page 438), which provides for a Firemen's and Policemen's Pension and Relief Fund in cities which have a population exceeding forty-five thousand and not exceeding fifty-four thousand inhabitants according to the preliminary census of April 1, 1951, or any subsequent Federal Census.

H. 710. Relating to counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act.

H. 702. To apply in all counties in the State having a population of not less than 63,750 nor more than 72,750 inhabitants according to the last or any subsequent federal decennial census; authorizing the clerk of the circuit court to issue warrants in criminal cases.

H. 687. To vacate and annul the dedication of the following described portion of Seventh Street, in the City of Tusculumbia, Colbert County, Alabama: That portion of Seventh Street lying between the easterly margin line of Water Street and the westerly margin line of Main Street.

H. 704. Relating to Bullock County: Fixing the compensation of the tax assessor and the tax collector of Bullock County.

H. 703. Relating to Bullock County; proposing an amendment to the Constitution of Alabama relative to regulating the fees, commissions, allowances and salaries of certain officers of Bullock County, and ordering an election thereon.

The above bill was read a second time at length as required by the Constitution.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 587 (with substitute). To provide for the affixing of tobacco tax stamps on tobacco products, where it would be in the best interest of the state, by contract or contracts to be made by the Commissioner of Revenue for such purpose, and to also provide that in cases where such contracts are made that the discount provided for in Section 728 of Title 51, Code of Alabama 1940, as amended, shall not apply; but in lieu thereof the Commissioner of Revenue may allow on such contracts a discount on the purchase of such stamps at a rate not to exceed ten per cent of the face value of the tobacco tax stamps purchased.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 87 (With Amendment). To raise revenue: levying an additional privilege license tax upon every person, firm, or corporation who engages in the business of renting rooms, lodgings, or accommodations to transients; providing for the collection and enforcement of the tax, and for the distribution of the revenue produced thereby.

H. 207 (with amendment). (To Remove Certain Exemptions From The Sales And Use Tax.) To repeal Act No. 205, S. 14, approved June 22, 1943 (General Acts of Alabama, 1943, p. 184-Agricultural Publications); Act No. 320, H. 385, approved July 7, 1945 (General Acts of Alabama, 1945, p. 525-Materials for Ships); Act No. 321, H. 386, approved July 7, 1945 (General Acts of Alabama, 1945, p. 526-Materials for Ships); Act No. 313, H. 356, approved July 7, 1945 (General Acts of Alabama, 1945, p. 504-Subscriptions to Magazines); Act No. 397, H. 193, approved August 16, 1949 (Acts of Alabama, 1949, p. 568-Blind Persons Sales); Act No. 878, H. 242, approved September 12, 1951 (Acts of Alabama, 1951, p. 1515-Exchange of Cottonseed Meal for Cotton Seed at Gins); Act No. 587, H. 442, approved August 30, 1951 (Acts of Alabama, 1951, p. 1020-Certain Sales Through Machines); Act No. 581, H. 93, approved August

30, 1951 (Acts of Alabama, 1951, p. 1017-Feedstuffs); Act No. 585, H. 92, approved August 30, 1951 (Acts of Alabama, 1951, p. 1019-Insecticides); Act No. 586, H. 94, approved August 30, 1951 (Acts of Alabama, 1951, p. 1020-Fungicides); Act No. 742, H. 920, approved September 17, 1953 (Acts of Alabama, 1953, p. 1006-Property for Use of Schools); Act No. 839, H. 565, approved September 19, 1953 (Acts of Alabama, 1953, p. 1130-Fuel Oil for Kiln Use); Act No. 447, H. 167, approved August 31, 1953 (Acts of Alabama, 1953, p. 552-Caskets); and Act No. 852, S. 128, approved September 19, 1953 (Acts of Alabama, 1953, p. 1143-Activities or Athletic Events), all of which provide for exemptions from the computation of the amount of the taxes levied, assessed, or payable under the provisions of Articles 10 and 11 of Chapter 20 of Title 51, Code of Alabama (1940).

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and they were severally read a second time and placed on the Calendar, to-wit:

H. 208 (With Substitute). To amend further Sections 788 and 789 of Title 51, Code of Alabama (1940), which relate to the state use tax.

H. 209 (With Substitute). To amend further Sections 753 and 755 of Title 51, Code of Alabama (1940), which relate to the state sales tax.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 210 (With Amendment). To provide, notwithstanding any law or rule to the contrary, that any person, firm or corporation filing an income tax return in the State of Alabama shall not deduct any taxes paid or accrued within the taxable year imposed by authority of the United States or any of its possessions in computing the net income for the purpose of filing an income tax return in the State of Alabama; and that the provisions of this Act shall be applicable to all income tax returns filed for the calendar year beginning January 1955 or for any fiscal year commencing during the year 1955.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 211 (with substitute). To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1956, and September 30, 1957, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Board of Trustees of the Partlow State School, the Alabama Educational Television Commission and for the Teachers' Retirement System.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 273. To further provide for the general revenue of Alabama; to define certain terms; to provide for the withholding of certain taxes; to provide for the making of certain rules and regulations by the Commissioner of Revenue; to provide for including certain wages and excluding certain wages for withholding tax purposes; to provide for withholding certificates; to provide for the payment of amounts withheld; to provide for the assessment of tax against employer under certain conditions; to provide for appeal by the employer; to provide for the issuance of execution by the department under certain conditions; to provide for the furnishing of a statement to the employee; to provide for the liability for the tax withheld; to provide for refunds to employers; to provide for the credit for the tax withheld; to provide for the refunding or crediting of amounts overpaid; to provide penalties for violations of this Act; to provide an optional short form for reporting the tax and to limit its application; to provide tables showing amount of income tax due under certain conditions; to provide for a declaration of estimated tax and the time for filing the declaration; to provide for the payment of the tax estimated in the declaration and when payment is due; to provide for certain deductions; to amend Section 409, Title 51, Code of Alabama 1940, as amended; to repeal conflicting laws; to provide for the severability of this Act; and to provide an effective date for this Act.

H. 214. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

H. 215. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

H. 217 To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering, veterinary medicine, nursing, home economics and agriculture.

H. 470. To provide for the construction, maintenance, and operation of five additional trade schools.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 617 (with amendment). To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance for school building purposes of not exceeding \$150,000,000 principal amount of general obligation bonds of the State of Alabama additionally secured by a pledge of certain state taxes.

The above bill was read a second time at length as required by the Constitution.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 665. To appropriate out of any funds in the State Treasury not otherwise appropriated, the sum of \$35,000.00 to the Department of Finance—Mail and Supply Room to be used as a revolving fund for the payment of telephone bills for the State departments, boards, bureaus and agencies using the State central telephone system in the City of Montgomery; to provide for the expenditures therefrom and the reimbursement thereto.

Mr. Branyon, Chairman of the Standing Committee on Constitution and Elections reported that said Committee in session had acted on the following bill and ordered same returned to the House without recommendation, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 484 (With Substitute) (Without Recommendation). Proposing an amendment to the Constitution of Alabama to fix the rate of income taxes on individuals and corporations at not exceeding five percent.

The above bill was read a second time at length as required by the Constitution.

Mr. Branyon, Chairman of the Standing Committee on Constitution and Elections reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 52. To declare the public policy of the State of Alabama with respect to public education; to provide for further study and analysis as a basis for general reconsideration of the efficiency of the system in promoting the progress of pupils in accordance with their aptitudes and in furtherance of social order and good will; pending such reconsideration to authorize city and county Boards of Education to provide for the continuation or establishment of units, facilities and curricula and the placement of pupils therein so as to assure the best practical educational curriculum and environment for the individual pupils consistent with the educational progress of others and the paramount function of the State's police power to assure social order, good will and the public welfare; to establish the right of parents or guardians to withdraw children from public schools under certain conditions; to provide for appeals from the decisions of such Boards of Education in certain cases; to repeal Sections 56, 93, 318 and 319 of Title 52 of the Code of Alabama of 1940.

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 697 (With Amendment). To apply in all counties of the State having a population of not less than 200,000, nor more than 400,000, according to the last or any subsequent Federal decennial census; providing for the appointment of bailiffs for the Circuit Courts in such counties, prescribing their duties, and regulating their compensation.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. McLendon, Richardson, Brannan, Summerline, Boyd, Crook, Hardy, Brown (Lee), Bradford, Nettles, Kirkham, Bassett, Ward,

Locke (Perry), Cornett, Brassell, Love, Solomon, Mathison, Oakley, McNider, Molette, McClendon, Ramey and Martin:

H. 711. To regulate the solicitation of funds by or on behalf of associations and organizations; to prohibit the solicitation of funds by or on behalf of certain associations or organizations; to provide for the enforcement of the Act; and to prescribe penalties for violations of the Act.

Judiciary.

By Mr. Albea:

H. 712. To provide for the lifetime appointment and removal by the Governor of notaries public; to provide for the filing of a new bond quinquennially by such notaries public.

Judiciary.

By Mr. Law:

H. 713. Relating to escheats; providing that certain unclaimed property held or owing by banking organizations shall be deemed abandoned property and may be paid over by such banking organizations to the State Superintendent of Banks and escheated.

Business and Labor.

By Mr. Edwards (Escambia):

H. 714. For the relief of S. H. Park of Tuscaloosa: To make an appropriation of highway department funds to reimburse S. H. Park for sums expended for medical care and treatment on account of personal injuries suffered by him on or about October 23, 1950, while the said S. H. Park was acting within the line and scope of his employment with the State Highway Department.

Ways and Means.

By Mr. Branyon:

H. 715. Relating to primary elections; providing that no person shall be allowed to vote at any primary election held after January 1, 1957, unless such person is a qualified elector and has declared his affiliation with the political party whose official primary ballot he calls for and attempts to vote; and prescribing the duties of the State Department of Finance, the several judges of probate, and the election officials in connection with the administration of the Act.

Constitution and Elections.

By Mr. Branyon:

H. 716. To amend further Section 344 of Title 17, Code of Alabama (1940), as amended, which provides for the certification of the names of candidates of political parties entering primary elections.

Constitution and Elections.

By Mr. Branyon:

H. 717. To amend Section 363 of Title 17 of the Code of Alabama (1940), which prescribes the procedure to be followed after the polls have closed relative to the official lists of voters, the certificate of the result of the election and the retention and final disposition of ballots.

Constitution and Elections.

By Mr. Branyon:

H. 718. To amend Section 154 of Title 17, Code of Alabama (1940), which prescribes the style and manner of printing ballots, to eliminate therefrom provisions for the blank column to be used for "write-in" votes.

Constitution and Elections.

By Mr. Branyon:

H. 719. To repeal Sections 108 and 162 of Title 17, Code of Alabama (1940) which, respectively, prescribe the manner in which a voter may vote for persons whose names do not appear on the ballots when voting machines and when paper ballots are used.

Constitution and Elections.

By Mr. Branyon:

H. 720. To amend Section 155 of Title 17 of the Code of Alabama (1940) which relates to ballots for independent candidates, to eliminate the provision authorizing "write-in" votes.

Constitution and Elections.

By Mr. Branyon:

H. 721. Relating to elections; providing that in every primary, general, or municipal election in which candidates are to be nominated or elected to two or more offices of the same classification, the candidates shall be elected by places designated by number.

Constitution and Elections.

By Mr. Branyon:

H. 722. To revise Article 6 of Title 17, Code of Alabama (1940) by amending Sections 77, 80, 81, 84, and 89, thereof which relate to election precincts and districts and polling places therein, and repealing Section 79 thereof, which limits the number of voters in a district.

Constitution and Elections.

By Mr. Branyon:

H. 723. To amend Section 366 of Title 17, Code of Alabama (1940) which provides for the tabulation and declaration of results of primary elections and provides for a second primary in the event that no candidate for office receives a majority of the votes cast for such office.

Constitution and Elections.

By Mr. Money:

H. 724. To create a Legal Division within the Highway Department as a statutory division of the Highway Department and to provide for the organization, functions, and duties of said Division.

Rules.

By Messrs. Kaul, Meeks, Perry, Edwards (Jefferson), Vacca, Nice and Lackey:

H. 725. Applying to each county in this state which is now levying or may hereafter levy a special annual ad valorem tax the proceeds from which are or may be required to be used exclusively as a sanitary fund; authorizing each such county from time to time to sell and issue in addition to all other securities which it may now or hereafter be authorized to issue, general obligation interest bearing warrants or certificates of indebtedness of such county for the purpose of acquiring, providing, constructing, enlarging, or extending a sanitary sewer system or systems, or any part or parts thereof; authorizing the issuance of refunding warrants and refunding certificates of indebtedness for the purpose of retiring any such warrants and certificates of indebtedness; authorizing the pledge and use, for payment of the principal of and interest on such warrants and certificates of indebtedness, of so much as may be necessary for such purpose of the proceeds

from such tax, and specifying the effect and priority of any such pledge; and providing that such warrants and certificates of indebtedness shall be eligible for the investment of trust funds.

Local Legislation No. 2.

By Messrs. Nice, Meeks, deGraffenried, Callahan, Vacca and Roberts:

H. 726. Authorizing, directing and requiring every city and county board of education, the state board of education, and the governing boards of the University of Alabama, the Alabama Polytechnic Institute and Alabama College to employ, upon application, certain retired teachers; providing for the duties and compensation of such teachers; providing for participation in the federal old age and survivors insurance program by such teachers; and making an appropriation out of the special educational trust fund for the purpose of reimbursing the appointing boards for the cost of employing such teachers.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 727. To amend Section 377 of Title 51, Code of Alabama 1940 and Section 388 of Title 51, Code of Alabama 1940, as amended.

Ways and Means.

By Messrs. Dawkins and Hawkins:

H. 728. To authorize the issuance of not exceeding \$100,000,000 principal amount of general obligation bonds of the State of Alabama, additionally secured by a pledge of certain state taxes, for the purpose of financing the construction, improvement and equipment of school and college buildings, and acquiring sites therefore; to specify the effect of such pledge; to create a sinking fund for payment of said bonds; to exempt said bonds and the interest thereon from taxation; and to make provision for the terms, specifications, execution, sale and issuance of said bonds and disposition of the proceeds thereof.

Ways and Means.

By Messrs. Brooks and Dickson (with notice and proof):

H. 729. To provide the sheriff of Lowndes County, Alabama with a deputy sheriff in addition to those now provided by law; and to prescribe his appointment and duties; to fix the salary of said deputy and to designate the fund out of which said salary shall be paid; and to fix the effective date of this Act.

Local Legislation No. 1.

Notice and Proof H. 729:

NOTICE

STATE OF ALABAMA
COUNTY OF LOWNDES

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide the sheriff of Lowndes County, Alabama with a deputy sheriff in addition to those now provided by law; and to prescribe his appointment and duties; to fix the salary of said deputy and to designate

the fund out of which said salary shall be paid; and to fix the effective date of this Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the sheriff of Lowndes County, Alabama, is hereby provided with a deputy sheriff in addition to those now provided by law. The deputy shall be appointed by the sheriff and serve at his pleasure.

Section 2. It shall be the duty of said deputy to enforce state traffic and motor vehicle laws, and while not so engaged to perform such other duties of the sheriff as the sheriff shall direct, but his essential duties shall be to enforce said state traffic and vehicle laws as aforestated.

Section 3. The deputy shall receive a salary of not less than \$2400.00 nor more than \$3000.00 per annum, to be paid in equal monthly installments out of the County Public Highway and Traffic Fund or the General Fund, in whole or in part from either, as the county governing body shall direct. The salary, within the aforestated minimum and maximum, shall be fixed by the county governing body and reduced or increased within said minimum and maximum at their pleasure.

Section 4. The sheriff after the appointment shall certify the name of his appointee to the county governing body, and after such certification, it shall be the duty of the county governing body to draw or cause to be drawn a warrant on the fund designated herein payable to said deputy for his salary earned to that time.

Section 5. This Act shall become effective immediately upon its approval by the Governor or immediately on the date it shall otherwise become law.

13—3tc

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF LOWNDES**

Before me, the undersigned authority in and for said County in said State, this day personally appeared S. Kenneth Perry, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of The Lowndes Signal, a newspaper of general circulation published in Lowndes County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, all in the year 1955.

S. KENNETH PERRY.

Sworn to and subscribed before me July 14, 1955.

**R. R. NORMAN, JR.,
Notary Public.**

By Messrs. Murphy and Simon:

H. 730. To amend further Act No. 529, H. 977, approved September 2, 1949 (Acts of Alabama, 1949, page 827) which provided for a plumbers examining board in all counties in the State having a population of not less than 140,000 according to the last or any subsequent Federal decennial census, as amended.

Local Legislation No. 1.

By Mr. Jenkins (with notice and proof):

H. 731. To apply in Randolph County only; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Local Legislation No. 1.

Notice and Proof H. 731:

A BILL
TO BE ENTITLED
AN ACT

To apply in Randolph County only; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any person duly licensed as provided in this Act may take, capture, and kill catfish from the public streams and impounded waters of Randolph County for his domestic use or consumption by the use of baskets or nets, including wire mesh baskets having a mesh of one inch or more; provided, that no person shall be licensed to fish with more than four such baskets or nets.

Section 2. Any person desiring a license to fish for catfish with baskets or nets, including wire mesh baskets, may apply to the probate judge of Randolph County, and shall pay a county privilege license tax of one dollar for each basket he proposes to fish, not exceeding four altogether. The probate judge shall issue such license on forms provided by the county governing body, and shall keep a permanent record of all licenses issued and all taxes received. Licenses shall be issued on a calendar year basis, and all licenses issued in any year shall expire on December 31 of each year.

Section 3. All revenues derived from the sale of licenses as provided in this Act shall be used by the county under the direction of the State Department of Conservation solely for stocking the streams and impounded waters in the county with game fish, or for the feeding and cultivation of game fish; provided, the probate judge may retain five per cent of all revenues collected for issuing such licenses and collecting such taxes.

Section 4. It shall be unlawful for any licensee to sell or offer to sell fish taken, captured, or killed in a basket or net, including wire mesh baskets. Any person who violates this section shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed by law; in addition to such punishment, the court trying the case shall revoke the license of such person.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Jn23-4t

THE STATE OF ALABAMA
RANDOLPH COUNTY

Before me, Hugh Stevenson, a notary public in and for said state and county, appeared John B. Stevenson, publisher of THE ROANOKE LEADER, a newspaper published in Roanoke, Randolph County, who, being duly sworn, deposes and says that a notice advertising a bill, to apply in Randolph County only, regulating further the taking of fish from public streams and impounded waters appeared in said paper in the issues of June 23, June 30, July 7, and July 14 and that a copy of said notice is hereto attached.

(Signed) JOHN B. STEVENSON.

Sworn to and subscribed before me this the 14th day of July, 1955.

HUGH STEVENSON,
Notary Public.

By Mr. Hodges:

H. 732. To require the Attorney General to digest, compile, and have printed all constitutional and general statutory provisions of this State relating to elections; to provide for the distribution of copies of such publication; and to provide funds to carry out the provisions of the Act.

Constitution and Elections.

By Messrs. Harrison, Fite and Kendall:

H. 733. Proposing an amendment to the Constitution of Alabama to provide for the apportionment of representation in the Legislature.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Callahan and deGraffenried:

H. 734. To amend Section 184 of Title 13 of the Code of Alabama of 1940 (pertaining to Writs of Certiorari).

Judiciary.

By Messrs. Callahan and deGraffenried:

H. 735. To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court of all counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census.

Local Legislation No. 1.

By Messrs. Selman and Shumate:

H. 736. To make it unlawful for any person who has been admitted to bail for appearance before any court of this State, and who incurs a forfeiture of the bail, willfully to fail to surrender himself within thirty days following the date of such forfeiture; and to prescribe penalties for violations of the Act.

Judiciary.

By Messrs. Hawkins, Selman and Shumate:

H. 737. Relating to state government administration: To transfer all powers, duties and authority relative to the administration and enforcement of laws relating to mines and mining as provided in Chapter 2 of Title 26, Code 1940; of all laws relating to child labor, as provided in Article 3 of Chapter 7, Code 1940, as amended, and all laws relating

to workmen's compensation, as provided in Chapter 5 of Title 26, Code of 1940 from the Department of Industrial Relations and the director thereof to the Department of Labor and the director thereof.

Business and Labor.

By Messrs. Wood, Holliman and Taylor:

H. 738. To provide for the regulation, licensing, and supervision of dog racing, and wagering thereon, at a track situated at Gulf Shores; to provide for the administration of the Act by the Commissioner of Revenue, through the Department of Revenue; to prescribe the powers, and duties of the Commissioner; to provide for and regulate the pari-mutuel or certificate method of wagering within the enclosure of the licensed race track; and to provide certain penalties for the violation of this Act and for other purposes relative thereto.

Conservation.

By Messrs. Wood, Holliman and Taylor:

H. 739. Proposing an amendment to Article 4, Section 65, of the Constitution of Alabama, which prohibits the legislature from authorizing lotteries, gift enterprises, or schemes in the nature thereof; authorizing the legislature to enact laws providing for wagering on dog races by the pari-mutuel form of wagering.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Meeks, Nice, Vacca, Perry, Edwards (Jefferson), Lackey, and Kaul (with notice and proof):

H. 740. To Alter and Extend the Boundaries of the City of Mountain Brook.

Local Legislation No. 2.

Notice and Proof H. 740:

NOTICE

Pursuant to constitutional requirement, notice is hereby given that a bill will be introduced at the present session (1955 regular session) of the Legislature of Alabama for the purpose of passage of a local bill for Jefferson County, incorporating into the City of Mountain Brook, Alabama the territory hereinafter particularly described. Said bill will be introduced in and sought to be passed by the Legislature in substantially the following form:

AN ACT

To Alter and Extend the Boundaries of the City of Mountain Brook.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Mountain Brook, in the County of Jefferson, State of Alabama, are hereby altered and extended so that said boundaries shall include within the corporate limits of said City all of the following described additional property not presently located in said City, to-wit:

The NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 8, Township 18 South of Range 2 West, in Jefferson County, Alabama.

Also, all that part of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 8, Township 18 South, Range 2 West, in said County, lying north of a line described as follows: Begin at the northeast corner of said forty and run south

along the east line thereof 670.8 feet; for point of beginning of said line; thence $84^{\circ} 32'$ to the right and run southwesterly a distance of 385.38 feet; thence $15^{\circ} 49'$ to the left and run southwesterly a distance of 211.87 feet; thence $2^{\circ} 56'$ to the right and run southwesterly a distance of 274.22 feet; thence $7^{\circ} 22\frac{1}{2}'$ to the left and run southwesterly a distance of 506.12 feet to the westerly line of said forty which point is 221.51 feet north of the southwest corner of said forty.

Also, all that part of the north 500.26 feet of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 8, Township 18 South of Range 2 West, in Jefferson County, Alabama lying south and west of Highway No. 91 (being sometimes called Cahaba Road or Florida Short Route) as now located.

Section 2. This act shall be and become effective upon and after the date of passage.

Messenger—June 4, 11, 18, 25, 1955.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 4, 11, 18, 25, 1955, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this 25th day of June, 1955.

MYRTLE P. LITTLE,
Notary Public.

By Messrs. Meeks, Nice, Vacca, Perry, Edwards (Jefferson), Lackey and Kaul (with notice and proof):

H. 741. To Alter and Extend the Boundaries of the City of Mountain Brook.

Local Legislation No. 2.

Notice and Proof H. 741:

NOTICE

Pursuant to constitutional requirement, notice is hereby given that a bill will be introduced at the present session (1955 regular session) of the Legislature of Alabama for the purpose of passage of a local bill for Jefferson County, incorporating into the City of Mountain Brook, Alabama the territory hereinafter particularly described. Said bill will be introduced in and sought to be passed by the Legislature in substantially the following form:

AN ACT

To Alter and Extend the Boundaries of the City of Mountain Brook.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Mountain Brook, in the County of Jefferson, State of Alabama, are hereby altered and ex-

tended so that said boundaries shall include within the corporate limits of said City all of the following described additional property not presently located in said City, to-wit:

The S½ of SW¼ of SW¼ and all that part of NW¼ of SW¼ of SW¼ of Section 8, Township 18 South of Range 2 West, in Jefferson County, Alabama, except a tract in the northwest corner in the shape of a parallelogram 341.92 feet long east and west and 127.4 feet wide north and south.

Section 2. This Act shall be and become effective upon and after the date of passage.

Messenger—June 4, 11, 18, 25, 1955.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 4, 11, 18, 25, 1955, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 25th day of June, 1955.

MYRTLE P. LITTLE,
Notary Public.

By Messrs. Murphy, Simon and Tyson:

H. 742. To designate the tarpon as the official Salt Water Fish of Alabama.

Local Legislation No. 1.

By Mr. Kelly (with notice and proof):

H. 743. Relating to the operation of school buses in Winston County; providing that the county board of education shall employ no person as a school bus driver unless such person is at least 25 years of age; and requiring the county board of education to pay school bus drivers a prescribed minimum salary, and to cause heaters to be placed in the buses.

Local Legislation No. 1.

Notice and Proof H. 743:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF WINSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the operation of school buses in Winston County; providing that the county board of education shall employ no person as a school bus driver unless such person is at least 25 years of age; and

requiring the county board of education to pay school bus drivers a prescribed minimum salary, and to cause heaters to be placed in the buses.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The county board of education of Winston County shall employ no person as a school bus driver who is not at least 25 years of age at the time of his employment, and shall pay school bus drivers a salary of at least one hundred dollars (\$100) per month. The county board of education of Winston County shall also cause heaters to be placed in the county school buses.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SBD-3-22-29-4-5-12

PUBLISHER'S AFFIDAVIT

**STATE OF ALABAMA,
WINSTON COUNTY**

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Haleyville Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 22nd day of March, 1955, and the last copy of said publication appearing in the said paper on the 12th day of April, 1955.

JAY THORNTON.

Sworn and subscribed to before me this 30th day of April, 1955.

**R. J. THORNTON,
Notary Public.**

By Mr. Kelly (with notice and proof):

H. 744. Relating to certain needy children in Winston County; providing that no tuition shall be charged such children in the public schools in the county, and that such children shall be given lunch, free of charge, under the school lunch program.

Local Legislation No. 1.

Notice and Proof H. 744:

LEGAL NOTICE

**STATE OF ALABAMA
COUNTY OF WINSTON**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to certain needy children in Winston County; providing that no tuition shall be charged such children in the public schools

in the county, and that such children shall be given lunch, free of charge, under the school lunch program.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This Act shall apply only in Winston County.

Section 2. If a child does not have, or if his parents do not have, an average income of at least one hundred dollars (\$100) per month, no tuition shall be charged the child for attending any public school in Winston County. The fact that the child does not have, or that his parents do not have, an average income of at least one hundred dollars (\$100) per month shall be sufficient evidence of the child's inability to pay for his lunch, and the child shall be given his lunch, free of charge, under the school lunch program. The principal of the public school attended by the child shall determine, on the basis of evidence submitted by the child or his parents, the eligibility of the child to receive the benefits provided in this Act.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

FL-3-22-29-4-512

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Haleyville Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 22nd day of March, 1955, and the last copy of said publication appearing in the said paper on the 12th day of April, 1955.

JAY THORNTON.

Sworn and subscribed to before me this 30th day of April, 1955.

R. J. THORNTON,
Notary Public.

BILLS ON THIRD READING

H. 681. To amend Section 11 of Title 19, Code of Alabama (1940), which relates to the appointment of commissioners in condemnation proceedings; requiring the judge of probate to appoint the members of the county board of equalization to serve as commissioners in any condemnation proceeding where the county is a party to such proceeding, in any county having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Johnson (Elmore)	Nolen
Adams	Faulk	Johnson (Tallapoosa)	Oakley
Albea	Ferrell	Kelly	Payne
Ashworth	Franklin	Kendall	Pirkle
Bassett	Gilchrist	Killough	Pruitt
Boyd	Goodwyn	Kirkham	Richardson
Bradford	Grouby	Law	Selman
Brassell	Hain	Lee (Barbour)	Shumate
Brewer	Hall	Locke (Perry)	Simon
Broadfoot	Haltom	Love	Solomon
Brown (Lamar)	Hardy	McClendon	Speaks
Brown (Lee)	Hare	McKay	Steagall
Burkhalter	Harrison	McLendon	Stembridge
Callahan	Harvey	McNider	Stokes
Crook	Hawkins	Martin	Summerlin
Davis	Hodges	Mathison	Taylor
Dawkins	Holliman	Molette	Thomas
deGraffenried	Huddleston	Murphy	Vacca
DeSear	Hunt	Nettles	Windle
Dickson	Jenkins	Nice	

—79

And the bill:

H. 680. To apply in all counties having a population of not less than 63,700 nor more than 70,000, according to the last or any subsequent federal decennial census; authorizing and directing the county governing body to provide the coroner with office space, certain equipment, furniture, supplies, and services at the expense of the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Johnson (Elmore)	Nice
Adams	Faulk	Johnson (Tallapoosa)	Nolen
Albea	Ferrell	Kelly	Oakley
Ashworth	Franklin	Kendall	Payne
Bassett	Gilchrist	Killough	Pirkle
Boyd	Goodwyn	Kirkham	Pruitt
Bradford	Grouby	Law	Richardson
Brassell	Hain	Lee (Barbour)	Selman
Brewer	Hall	Locke (Perry)	Shumate
Broadfoot	Haltom	Love	Simon
Brown (Lamar)	Hardy	McClendon	Solomon
Brown (Lee)	Hare	McKay	Speaks
Burkhalter	Harrison	McLendon	Steagall
Callahan	Harvey	McNider	Stembridge
Crook	Hawkins	Martin	Stokes
Davis	Hodges	Mathews	Summerlin
Dawkins	Holliman	Mathison	Taylor
deGraffenried	Huddleston	Molette	Thomas
DeSear	Hunt	Murphy	Vacca
Dickson	Jenkins	Nettles	Windle

—80

And the bill:

H. 658. To amend further Act No. 345, H. 793, approved September 24, 1923 (Local Acts of Alabama, 1923, page 237) which relates to the

election, duties, term of office and compensation of the county superintendent of education of Blount County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Faulk	Johnson (Elmore)	Nice
Adams	Ferrell	Johnson (Tallapoosa)	Nolen
Albea	Franklin	Kelly	Oakley
Ashworth	Gilchrist	Kendall	Payne
Bassett	Goodwyn	Killough	Pirkle
Boyd	Gregory	Kirkham	Pruitt
Bradford	Grouby	Law	Richardson
Brassell	Hain	Lee (Barbour)	Selman
Brewer	Hall	Locke (Perry)	Shumate
Broadfoot	Haltom	Love	Simon
Brown (Lamar)	Hardy	McClendon	Solomon
Brown (Lee)	Hare	McKay	Speaks
Burkhalter	Harrison	McLendon	Steagall
Callahan	Harvey	McNider	Stembridge
Crook	Hawkins	Martin	Stokes
Davis	Hodges	Mathews	Summerlin
Dawkins	Holliman	Mathison	Taylor
deGraffenried	Huddleston	Molette	Thomas
DeSear	Hunt	Murphy	Vacca
Dickson	Jenkins	Nettles	Windle
Edwards (Jefferson)			

—81

And the bill:

H. 657. Relating to Blount County: To regulate further the public school system of the county; to provide for the election of members of the county board of education; to fix their term of office; to prescribe their qualifications, duties and compensation; and to direct them to prescribe a school term in accordance with the wishes of patrons of such schools as shown by an election, hereby ordered, on the question of whether or not the public schools shall be operated for a term of consecutive months or a split term; repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Burkhalter	Gilchrist	Hodges
Adams	Callahan	Goodwyn	Holliman
Albea	Crook	Gregory	Huddleston
Ashworth	Davis	Grouby	Hunt
Bassett	Dawkins	Hain	Jenkins
Boyd	deGraffenried	Hall	Johnson (Elmore)
Bradford	DeSear	Haltom	Johnson (Tallapoosa)
Brassell	Dickson	Hardy	Kelly
Brewer	Edwards (Jefferson)	Hare	Kendall
Broadfoot	Faulk	Harrison	Killough
Brown (Lamar)	Ferrell	Harvey	Kirkham
Brown (Lee)	Franklin	Hawkins	Lackey

Law	Mathews	Pirkle	Steagall
Lee (Barbour)	Mathison	Pruitt	Stembridge
Locke (Perry)	Molette	Richardson	Stokes
Love	Murphy	Selman	Summerlin
McClendon	Nettles	Shumate	Taylor
McKay	Nice	Simon	Thomas
McLendon	Nolen	Solomon	Vacca
McNider	Oakley	Speaks	Windle
Martin	Payne		

—82

And the bill:

H. 653. Relating to Wilcox County: To amend further Act No. 436, S. 397, approved September 13, 1939 (Local Acts of 1939, p. 261), an Act which provided further for the duties, power, authority, and compensation of the members of the Court of County Commissioners of Wilcox County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Faulk	Johnson (Tallapoosa)	Nice
Adams	Ferrell	Kelly	Nolen
Albea	Franklin	Kendall	Oakley
Ashworth	Gilchrist	Killough	Payne
Bassett	Goodwyn	Kirkham	Pirkle
Boyd	Grouby	Lackey	Pruitt
Bradford	Hain	Law	Richardson
Brassell	Hall	Lee (Barbour)	Selman
Brewer	Haltom	Locke (Perry)	Shumate
Broadfoot	Hardy	Love	Simon
Brown (Lamar)	Hare	McClendon	Solomon
Brown (Lee)	Harrison	McKay	Speaks
Burkhalter	Harvey	McLendon	Steagall
Callahan	Hawkins	McNider	Stembridge
Crook	Hodges	Martin	Stokes
Davis	Holliman	Mathews	Summerlin
Dawkins	Huddleston	Mathison	Taylor
deGraffenried	Hunt	Molette	Thomas
DeSear	Jenkins	Murphy	Vacca
Dickson	Johnson (Elmore)	Nettles	Windle
Edwards (Jefferson)			

—81

MOTION ADOPTED

The motion of Mr. Selman to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 140, was adopted.

And the bill:

H. 140. To amend Chapter 9, Title 15 of the Code of Alabama (1940) relating to bail, as amended by Act No. 199 July 8, 1949, by defining the power and authority and jurisdiction of the courts in proceedings on forfeitures and undertakings, or bail bonds, by the failure of the defendant to appear as required, in all counties in this State; and to authorize the courts in such counties to remit in whole or in part

the penalty of such bail bonds as the ends of justice may appear to require.

Was taken up.

Mr. Selman offered the following substitute for the bill, H. 140:

SUBSTITUTE FOR H. B. 140

A BILL TO BE ENTITLED AN ACT

To define the power, authority and jurisdiction of the courts in proceedings on forfeitures of undertakings, or bail bonds, by the failure of the defendant to appear as required, in all counties in the State having a population of not less than 63,750 nor more than 72,750 inhabitants according to the last or any subsequent federal decennial census; and to authorize the courts in such counties to remit in whole or in part the penalty of such bail bonds as the ends of justice may appear to require.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In all counties in this State having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census, all state, county, or municipal courts shall have full power and jurisdiction in all proceedings conducted pursuant to the provisions of Chapter 9, Title 15, Code of Alabama (1940), pursuant to the rendering of any final judgment upon any forfeiture of any undertaking, or bail bond, to consider the cause of the default and all the circumstances in connection therewith, including the excessiveness of the penalty, if any, and upon giving consideration thereto, shall have jurisdiction to remit the whole of the penalty of such bail bond, or undertaking, or any part thereof, and to render final judgment against the sureties appearing upon such bail bond or undertaking for such part of the penalty prescribed by such bail bond or undertaking as the ends of justice may require.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Brown (Lamar)	Gilchrist	Hunt
Adams	Burkhalter	Goodwyn	Jenkins
Albea	Callahan	Grouby	Johnson (Elmore)
Ashworth	Davis	Hall	Johnson (Tallapoosa)
Bassett	Dawkins	Haltom	Kelly
Boyd	deGraffenried	Hare	Kendall
Bradford	DeSear	Harrison	Killough
Brassell	Edwards (Jefferson)	Hawkins	Kirkham
Brewer	Faulk	Hodges	Lee (Barbour)
Broadfoot	Ferrell	Holliman	Locke (Choctaw)
Brooks	Franklin	Huddleston	Locke (Perry)

Love	Murphy	Roberts	Summerlin
McClendon	Nice	Selman	Taylor
McKay	Nolen	Shumate	Thomas
McLendon	Oakley	Simon	Vacca
McNider	Payne	Speaks	Ward
Martin	Pirkle	Steagall	Windle
Mathison	Richardson	Stembridge	Wood

—72

And said bill, H. 140, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Dickson	Johnson (Taliapoosa)	Nolen
Adams	Edwards (Jefferson)	Kelly	Oakley
Albea	Faulk	Kendall	Payne
Ashworth	Ferrell	Killough	Pirkle
Bassett	Franklin	Kirkham	Richardson
Boyd	Gilchrist	Lee (Barbour)	Selman
Bradford	Goodwyn	Locke (Choctaw)	Shumate
Brassell	Grouby	Locke (Perry)	Simon
Brewer	Hall	Love	Speaks
Broadfoot	Haltom	McClendon	Steagall
Brooks	Hare	McKay	Stembridge
Brown (Lamar)	Hawkins	McLendon	Summerlin
Burkhalter	Hodges	McNider	Taylor
Callahan	Holliman	Martin	Thomas
Davis	Huddleston	Mathison	Vacca
Dawkins	Hunt	Murphy	Ward
deGraffenried	Jenkins	Nettles	Windle
DeSear	Johnson (Elmore)	Nice	Wood

—72

And the bill:

S. 34. To amend further Section 20 of Title 34, Code of Alabama (1940), which relates to the grounds for granting divorces from the bonds of matrimony.

Was taken up.

On motion of Mr. Nolen, the bill, S. 34, was indefinitely postponed.

Yeas 63; Nays 24.

Yeas:

Messrs.	DeSear	Hare	Kirkham
Adams	Dickson	Harrison	Lackey
Ashworth	Edwards (Jefferson)	Harvey	Law
Bassett	Faulk	Hodges	Locke (Perry)
Boyd	Ferrell	Holliman	McClendon
Brewer	Franklin	Hunt	McKay
Brooks	Gilchrist	Jenkins	McLendon
Burkhalter	Gregory	Johnson (Elmore)	McNider
Cox	Grouby	Johnson (Tallapoosa)	Martin
Crook	Hain	Kaul	Mathison
Dawkins	Haltom	Kendall	Molette
deGraffenried	Hardy	Killough	Murphy

Nettles	Perry	Roberts	Stokes
Nolen	Pirkle	Simon	Summerlin
Oakley	Pruitt	Solomon	Taylor
Payne	Richardson	Speaks	Windle

—63

Nays:

Mr. Speaker	Brown (Lee)	Huddleston	Nice
Albea	Callahan	Kelly	Selman
Bradford	Cornett	Lee (Barbour)	Shumate
Brassell	Goodwyn	Locke (Choctaw)	Steagall
Broadfoot	Hall	Love	Stembridge
Brown (Lamar)	Hawkins	Mathews	Vacca

—24

And the bill:

H. 371. To amend Section 6 of Title 14, Code of Alabama (1940), which relates to the crime of kidnapping; raising the maximum sentence from ten to twenty-five years.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Faulk	Kendall	Nice
Adams	Ferrell	Killough	Nolen
Albea	Gilchrist	Kirkham	Oakley
Ashworth	Goodwyn	Lackey	Payne
Bassett	Gregory	Law	Perry
Boyd	Grouby	Lee (Barbour)	Pirkle
Bradford	Hain	Locke (Choctaw)	Pruitt
Brassell	Hall	Locke (Perry)	Richardson
Brewer	Haltom	Love	Roberts
Broadfoot	Hardy	McClendon	Selman
Brown (Lamar)	Hare	McKay	Shumate
Brown (Lee)	Harrison	McLendon	Simon
Burkhalter	Harvey	McNider	Solomon
Callahan	Hawkins	Martin	Speaks
Cornett	Hodges	Mathews	Steagall
Cox	Holliman	Mathison	Stembridge
Crook	Hunt	Meeks	Stokes
Dawkins	Jenkins	Molette	Summerlin
deGraffenried	Johnson (Elmore)	Money	Thomas
DeSear	Johnson (Tallapoosa)	Murphy	Vacca
Dickson	Kaul	Nettles	Windle
Edwards (Jefferson)	Kelly		

—86

MOTION TO ADJOURN LOST

The motion of Mr. Adams to adjourn until Tuesday, July 19, 1955, at eleven o'clock A.M. was lost.

Yeas 32; Nays 42.

Yeas:

Messrs.	Albea	Burkhalter	Cox
Adams	Bassett	Callahan	DeSear

Edwards (Jefferson)	Kaul	Mathews	Pirkle
Faulk	Lackey	Mathison	Selman
Grouby	Locke (Choctaw)	Meeks	Shumate
Hain	Locke (Perry)	Money	Solomon
Hodges	Love	Oakley	Steagall
Holliman	McNider	Perry	Thomas
Johnson (Tallapoosa)			

—32

Nays:

Mr. Speaker	deGraffenried	Jenkins	Nettles
Ashworth	Dickson	Kelly	Nolen
Boyd	Ferrell	Killough	Payne
Bradford	Gilchrist	Lee (Barbour)	Richardson
Brassell	Gregory	Lee (Lawrence)	Roberts
Brewer	Hall	McClendon	Simon
Broadfoot	Haltom	McKay	Speaks
Brown (Lamar)	Hare	McLendon	Summerlin
Cornett	Harrison	Martin	Taylor
Crook	Hawkins	Murphy	Windle
Dawkins	Hunt		

—42

BILLS ON THIRD READING RESUMED

S. 95. Relating to elections: to provide that the State shall reimburse a county either in whole or in part for the expenses incurred in holding and conducting certain elections, and appropriating funds for that purpose.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kelly	Nettles
Adams	Faulk	Kendall	Nice
Albea	Ferrell	Killough	Nolen
Ashworth	Gilchrist	Kirkham	Oakley
Bassett	Gregory	Lackey	Payne
Boyd	Grouby	Law	Perry
Bradford	Hain	Lee (Barbour)	Pirkle
Brassell	Hall	Lee (Lawrence)	Pruitt
Brewer	Haltom	Locke (Choctaw)	Richardson
Broadfoot	Hardy	Locke (Perry)	Selman
Brown (Lamar)	Hare	McClendon	Shumate
Brown (Lee)	Harrison	McKay	Simon
Burkhalter	Harvey	McLendon	Solomon
Callahan	Hodges	McNider	Speaks
Cornett	Holliman	Martin	Steagall
Cox	Huddleston	Mathews	Stembridge
Crook	Hunt	Mathison	Stokes
Davis	Jenkins	Meeks	Summerlin
Dawkins	Johnson (Elmore)	Molette	Taylor
deGraffenried	Johnson (Tallapoosa)	Money	Thomas
DeSear	Kaul	Murphy	Windle

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CERTIFICATE OF CLERK

The House of Representatives:

I hereby certify that the House Bill and House Joint Resolution hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:20 A.M. On July 15, 1955.

H.J.R. 35

Delivered to the Governor at 11:45 A. M. On July 15, 1955.

H. 537

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Burkhalter the House adjourned until Tuesday, July 19, 1955, at eleven o'clock A.M.

TWENTY-SECOND DAY

House of Representatives
Montgomery, Alabama
Tuesday, July 19, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend J. Albert Hill, Pastor, First Baptist Church, Wetumpka, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dickson	Jenkins	Money
Adams	Edwards (Escambia)	Johnson (Elmore)	Murphy
Albea	Edwards (Jefferson)	Johnson (Tallapoosa)	Nettles
Ashworth	Faulk	Kaul	Nice
Bassett	Ferrell	Kelly	Nolen
Boyd	Franklin	Kendall	Oakley
Bradford	Gilchrist	Killough	Oden
Brannan	Gist	Kirkham	Payne
Branyon	Goodwyn	Lackey	Perry
Brassell	Gregory	Law	Pirkle
Broadfoot	Grouby	Lee (Barbour)	Pruitt
Brooks	Hain	Lee (Lawrence)	Ramey
Brown (Lamar)	Hall	Locke (Choctaw)	Reynolds
Brown (Lee)	Haltom	Locke (Perry)	Richardson
Burkhalter	Hanby	Love	Roberts
Callahan	Hardy	McClendon	Selman
Cornett	Hare	McKay	Shumate
Cox	Harrison	McLendon	Simon
Crook	Harvey	McNider	Solomon
Davis	Hawkins	Martin	Speaks
Dawkins	Hodges	Mathews	Steagall
deGraffenried	Holliman	Mathison	Stembridge
Dement	Huddleston	Meeks	Stokes
DeSear	Hunt	Molette	Summerlin

Taylor
Thomas

Tyson
Vacca

Ward
Windle

Wood

—103

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-first legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Hawkins, the reading at length of the Journal of the House for the twenty-first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the twenty-first legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions to-wit:

H. J. R. 43. Relative to creating a committee to investigate the United Telephone and Telegraph Company and the Clio Telephone Company.

Also:

H. J. R. 47. Relative to congratulating the citizens of Phenix City for outstanding achievements on becoming a finalist in the All-American cities award contest.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill, and returns same herewith to the House:

H. 30. Relating to state government administration; creating a State Banking Department, and defining its powers and duties; transferring to the department the administration of the laws relating to

banks and banking, credit unions, savings and loan associations, and the small-loan business; transferring to the department the bureau of banking, the bureau of savings and loan, and the bureau of loans of the department of commerce, and the personnel, funds, equipment, and supplies of such bureaus; providing for a Superintendent of Banks and Savings and Loan Commissioner as head of the State Banking Department; prescribing his salary, qualifications, and duties; and abolishing the Department of Commerce and the office of Director of Commerce.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Hawkins the House non-concurred in the Senate amendment to the bill, H. 30, said Senate amendment being as follows:

AMENDMENT TO HOUSE BILL 30

Amend Section 4 of said bill to read as follows:

"Section 4. The State Banking Department shall be in charge of the Superintendent of Banks, who shall be the chief executive officer of the department. The superintendent shall be a person of good character and shall not, either directly or indirectly, be interested in or carry on business as an individual banker. He shall not borrow from a bank except through a mortgage on real estate contracted after obtaining approval of the banking board. The superintendent shall be appointed by the governor, by and with the consent of the senate. The term of office of the superintendent will expire on the first day of February after the expiration of the term of office of the governor making the appointment, but he will continue to serve until his successor is appointed and has qualified. If for any reason there should be a vacancy in the office while the senate is not in session, the governor shall appoint a superintendent of banks, and such superintendent shall hold office and exercise the powers conferred by law upon him until the senate meets and passes on the appointment, and if his appointment is disapproved of by the senate another appointment must be made by the governor, and in like manner appointments made until appointment is confirmed by the senate. To be eligible for appointment as superintendent of banks a person must have had at least five years experience in the ten years next preceeding his appointment either as an officer or director of a bank or an examiner or other officer in a federal or state bank supervisory agency—including the office of the comptroller of the currency, the federal reserve system, the Federal Deposit Insurance Corporation, and the banking departments of the various states or other equivalent experience for at least five years in the ten years next preceding his appointment."

Amend Section 5 of said bill to read as follows:

"Section 5. The superintendent of banks may be removed from office for such causes and in such manner as is provided by law; or may be impeached; for neglect of duty, malfeasance, misfeasance, extortion or corruption in office, incompetency, or intemperance in the use of intoxicating liquors or narcotics to such an extent, in view of the dignity of the office and the importance of its duties, as to unfit him for the discharge of such duties, or for any offense involving moral turpitude while in office, committed under color thereof or connected therewith, in the same manner and way and by the same proceedings as is provided for the removal of sheriffs from office."

On motion of Mr. Hawkins a Committee of Conference was requested on the disagreement of the two Houses on the Senate amendment to the bill, H. 30.

The Speaker of the House named as the Committee of Conference on the part of the House Messrs. Hawkins, Lee (Lawrence) and Crook.

REPORT OF RULES COMMITTEE

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report.

By Rules Committee:

H. R. 49. BE IT RESOLVED BY THE HOUSE that the following bills in the order named be made special, paramount and continuing order of business for today, taking precedence over bills now on Special Order:

H. B. No. 587	Page 49
H. B. No. 273	Page 53
H. B. No. 87	Page 50
H. B. No. 209	Page 51
H. B. No. 208	Page 51
H. B. No. 207	Page 50
H. B. No. 484	Page 55
H. B. No. 483	Page 38
H. B. No. 210	Page 52
H. B. No. 211	Page 52
H. B. No. 214	Page 53
H. B. No. 215	Page 54
H. B. No. 217	Page 54
H. B. No. 470	Page 54
H. B. No. 617	Page 55
H. B. No. 665	Page 55
H. B. No. 452	Page 40

And H. R. 49 was adopted.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Thomas:

H. J. R. 50. BE IT RESOLVED by the Legislature of Alabama, both houses thereof concurring, that there shall be an interim committee, to be called the Tax Study Committee, which shall consist of five members, as follows: The chairman of the standing committee on ways and means and two members of the House appointed by the Speaker; the chairman of the standing committee on finance and taxation and one member

of the Senate to be appointed by the President of the Senate. The members of the committee shall select a chairman and vice-chairman from among their number, and shall meet at the call of the chairman, or at the request of any two members of the committee. The members of the committee shall receive their regular legislative compensation and allowances for each day they serve, not to exceed fifty days altogether. The chairman of the committee shall certify to the Governor the amount due each member, and upon approval of the Governor, the Comptroller shall draw a warrant therefor on any funds appropriated for the use of the Legislature. It shall be the duty of the committee to make a complete and detailed study of all the revenue laws of the State of Alabama, exclusive of laws providing revenue for counties, municipalities, and political subdivisions of the State, and to make a report of its findings, conclusions, and recommendations for the improvement of the State's revenue system. The committee is authorized to employ a director of research and such other professional and clerical assistants as may be required for the satisfactory performance of its duties. The committee may also employ consultants and experts, and may utilize the services, information, facilities and personnel of any department or agency in the executive and administrative branch of the state government as may be necessary in the performance of its duties. The expenditures made by the committee for all purposes shall not be in excess of twenty-five thousand dollars. The committee shall make its report to the Legislature and to the Governor not later than the tenth legislative day of the 1957 regular session of the Legislature.

The motion of Mr. Thomas to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 50 was adopted.

Mr. McKay offered the following amendment to the resolution, H. J. R. 50:

AMENDMENT OF H. J. R. 50

Amend the resolution by striking out the words "twenty-five thousand dollars" and inserting in lieu thereof the words "fifty thousand dollars" appearing in the next to the last sentence.

The motion of Mr. McNider to lay on the table the amendment offered by Mr. McKay was lost.

And the question was on the adoption of the amendment offered by Mr. McKay to the resolution, H. J. R. 50, and said amendment was adopted.

Mr. McKay offered the following amendment to the resolution, H. J. R. 50, as amended.

AMENDMENT OF H. J. R. 50

Strike out the last sentence of the resolution and insert in lieu thereof the following:

The committee shall make its report accompanied by suggested curative legislation to the Legislature and to the Governor not later than the 10th legislative day of the 1957 regular session of the Legislature.

And the amendment was adopted.

And the resolution, H. J. R. 50, as amended, was adopted.

Also:

By Mr. Lackey:

H. R. 51. BE IT RESOLVED by the House of Representatives of Alabama that House Resolution No. 17 heretofore adopted by said House of Representatives be and the same hereby is amended so that the same shall read as follows:

WHEREAS, important constitutional questions are presented by House Bill No. 155 (a copy of which is attached hereto) now pending in the Legislature of Alabama:

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of Alabama that the Justices of the Supreme Court of Alabama are hereby respectfully requested to render their opinion as provided by Section 34 of Title 13 of the Code of Alabama of 1940 on the following important constitutional questions:

(1) Will the bill, if enacted, constitute a general law within the meaning of Section 110 of the Constitution of Alabama?

(2) Does the bill contain but one subject and is that subject clearly expressed in its title as those terms are used in Section 45 of the Constitution of Alabama?

(3) Do the provisions of subsection (d) of Section 9 of the bill, which would authorize municipalities, regardless of population, to grant to authorities organized under the bill certain rights with respect to public streets therein for a period of time that may be in excess of thirty years, violate Section 228 of the Constitution of Alabama?

(4) Do the provisions of Sections 9(d), 22 and 24 of the bill, which authorize the state and certain political subdivisions thereof to grant certain permits and rights-of-way and to make certain conveyances to public tunnel authorities and to make studies with respect to the feasibility of tunnel projects proposed to be constructed by such tunnel authorities, violate Section 93, as amended, or Section 94 of the Constitution of Alabama?

(5) Would tunnel revenue bonds issued by a public tunnel authority organized under the provisions of the bill constitute (a) a debt, within the meaning of Section 224 of the Constitution of Alabama, of the county consenting to the organization of such authority; or (b) bonds of such county or of a political subdivision of such county within the meaning of Section 222 of the Constitution of Alabama; or (c) a debt of the State of Alabama within the meaning of Section 213, as amended, of the Constitution of Alabama?

(6) In the event that your answer to question (3) or question (4) is "Yes", would such a constitutional violation invalidate the bill as a whole?

On motion of Mr. Lackey the rules were suspended and H. R. 51 was adopted.

Also:

By Mr. Lackey:

H. R. 52. BE IT RESOLVED by the House of Representatives of Alabama that the Clerk of said House of Representatives is hereby authorized and directed to return to the Justices of the Supreme Court of Alabama the opinion heretofore rendered by said Justices on consti-

tutional questions presented by House Bill No. 155 pursuant to the request contained in House Resolution 17.

On motion of Mr. Lackey the rules were suspended and H. R. 52 was adopted.

Also:

By Mr. Hawkins:

H. J. R. 53. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, July 26, 1955.

On motion of Mr. Hawkins the rules were suspended and H. J. R. 53 was adopted.

BILLS ON SECOND READING

Mr. Fite Chairman of the Standing Committee on Rules reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 724. To create a Legal Division within the Highway Department as a statutory division of the Highway Department and to provide for the organization, functions, and duties of said Division.

Mr. Brown (Lee) Chairman of the Standing Committee on Transportation reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 127: To authorize and direct the State Highway Department to construct, pave, repair, and maintain roads on the lands used by the agricultural experiment station system of the Alabama Polytechnic Institute.

Mr. Murphy Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 730. To amend further Act No. 529, H. 977, approved September 2, 1949 (Acts of Alabama, 1949, page 827) which provided for a plumbers examining board in all counties in the State having a population of not less than 140,000 according to the last or any subsequent Federal decennial census, as amended.

H. 742. To designate the tarpon as the official Salt Water Fish of Alabama.

H. 735. To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court of all counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census.

H. 729. To provide the sheriff of Lowndes County, Alabama with a deputy sheriff in addition to those now provided by law; and to prescribe his appointment and duties; to fix the salary of said deputy and to designate the fund out of which said salary shall be paid; and to fix the effective date of this Act.

H. 731. To apply in Randolph County only; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

H. 743. Relating to the operation of school buses in Winston County; providing that the county board of education shall employ no person as a school bus driver unless such person is at least 25 years of age; and requiring the county board of education to pay school bus drivers a prescribed minimum salary, and to cause heaters to be placed in the buses.

H. 744. Relating to certain needy children in Winston County; providing that no tuition shall be charged such children in the public schools in the county, and that such children shall be given lunch, free of charge, under the school lunch program.

Mr. Lackey Vice-Chairman of the Standing Committee on Local Legislation No. 2 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 725. Applying to each county in this state which is now levying or may hereafter levy a special annual ad valorem tax the proceeds from which are or may be required to be used exclusively as a sanitary fund; authorizing each such county from time to time to sell and issue in addition to all other securities which it may now or hereafter be authorized to issue, general obligation interest bearing warrants or certificates of indebtedness of such county for the purpose of acquiring, providing, constructing, enlarging or extending a sanitary sewer system or systems, or any part or parts thereof; authorizing the issuance of refunding warrants and refunding certificates of indebtedness for the purpose of retiring any such warrants and certificates of indebtedness; authorizing the pledge and use, for payment of the principal of and interest on such warrants and certificates of indebtedness, of so much as may be necessary for such purpose of the proceeds from such tax, and specifying the effect and priority of any such pledge; and providing that such warrants and certificates of indebtedness shall be eligible for the investment of trust funds.

H. 740. To Alter and Extend the Boundaries of the City of Mountain Brook.

H. 741. To Alter and Extend the Boundaries of the City of Mountain Brook.

Mr. Hawkins, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 727. To amend Section 377 of Title 51, Code of Alabama 1940 and Section 388 of Title 51, Code of Alabama 1940, as amended.

H. 300. Relating to the education of exceptional children; providing that county and city boards of education may provide education for exceptional children; authorizing the State Board of Education on the recommendation of the State Superintendent of Education to establish rules and regulations relating to allocation of state funds, certification of teachers, size of classes, eligibility of pupils to receive instruction,

training and experience required for professional personnel other than teachers, and other regulations which are necessary to the effective operation of an educational program for exceptional children; authorizing the employment of qualified supervisory personnel in the State Department of Education; authorizing the expenditure of Minimum Program funds and local school funds for the education of exceptional children beginning with the age of three years; repealing all laws and parts of laws in conflict with this Act.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Killough and Taylor:

H. 745. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for educational purposes in Butler County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Ferrell:

H. 746. To amend Act No. 266, S. 122, approved July 22, 1949, which relates to the registration and purgation of voters.

Constitution and Elections.

By Mr. Ferrell:

H. 747. To amend Section 13 of Title 36, Code of Alabama (1940), which relates to the limitations on the privilege of overtaking and passing a vehicle on a public highway.

Judiciary.

By Messrs. Hawkins, Adams, Goodwyn, Vacca, Steagall, Dickson, Johnson (Elmore), Huddleston, Faulk, Haltom, Edwards (Escambia), Money, Gilchrist, Gist and Cox:

H. 748. To amend Section 15 of Act No. 703, approved September 5, 1951, p. 1211, which relates to payments after death for public assistance recipients.

Public Welfare.

By Messrs. Hanby and Hawkins:

H. 749. Relating to cities having a population of not less than 50,000 nor more than 100,000 inhabitants, according to the last or any subsequent federal decennial census; to authorize such municipalities to declare weeds growing upon vacant property within the corporate limits thereof to be a public nuisance and to remove them or cause them to be removed; prescribing a procedure therefor; and creating a lien upon such property for the cost of removing the weeds.

Local Legislation No. 1.

By Mr. Oden:

H. 750. To provide State aid for promotion and development of livestock throughout the state of Alabama by making an appropriation from the General Fund of the State Treasury to the Department of Agriculture and Industries to be expended by the Commissioner of such Department upon approval of the State Board of Agriculture and Industries, for the purpose of aiding, promoting and fostering the development

of purebred livestock by constructing and improving housing, exhibit and show facilities at locations throughout the State of Alabama; to authorize the Commissioner of Agriculture and Industries, with the approval of said Board, to execute contracts or agreements to carry out the provisions of this Act; to authorize the Commissioner of Agriculture and Industries, with the approval of said Board, to acquire title to real estate in the name of the State of Alabama in order that livestock display, show and exhibit facilities may be constructed; and for other related purposes.

Ways and Means.

By Mr. Gist:

H. 751. To provide for the disposition of revenue derived from the leasing for oil and gas purposes of the public water bottoms and certain other lands of this State; to provide for the disposition of revenue received from the rental or sale of any lands comprising McDuffie Island in Mobile Bay; to provide for the disposition of any revenues derived from the sale of dead oyster shells which are in excess of the amount needed to defray the annual expenses of the Seafoods Division of the Department of Conservation, and to repeal all laws in conflict with this Act.

Conservation.

By Messrs. Meeks, Vacca and Nice:

H. 752. To amend Sections 102 and 103, Title 7, of the Code of Alabama of 1940.

Judiciary.

By Messrs. Broadfoot, Huddleston, Kelly, Lee (Lawrence) and Haltom:

H. 753. To provide for annual big game permits for the hunting of deer and turkey in this State; to provide for game tags to be issued with such permits and to provide a penalty for violation of this Act.

Conservation.

By Messrs. Brown (Lee) and Ward:

H. 754. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for educational purposes in Lee County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 755. To extend the boundary lines of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Local Legislation No. 1.

Notice and Proof H. 755:

A BILL
TO BE ENTITLED
AN ACT

To extend the boundary lines of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. That the boundary lines of the City of Decatur, in Morgan County, Alabama, be and the same are hereby extended so as to

include in addition to the territory now embraced therein the following described property, to-wit:

Beginning at the intersection of the center line of 21st Avenue (formerly known as 5th Street) with the line dividing the N½ of Section 28, Township 5 South, Range 4 West, from the S½ thereof and running East along said ½ Section line for a distance of 2,359.81 feet; thence North for a distance of 1,226.5 feet along the westerly margin of a 100 foot right of way deeded by Calumet & Helca, Inc. to Morgan County; thence turning an angle of 90° 36' 30" clockwise from back tangent and running West for a distance of 2,360 feet to the present city limit of Decatur; thence South along the present city limit of Decatur for a distance of 1,246.28 feet to the point of beginning.

SECTION 2. This act shall be effective immediately upon its passage and approval by the Governor.

STATE OF ALABAMA MORGAN COUNTY

Before me, the undersigned authority in and for said county in said state, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says as follows:

I am now and have been continuously during the dates herein referred to Publisher of the Decatur Daily, which is now and has been during said times a newspaper of general circulation published in Morgan County, Alabama. The foregoing notice was published without cost to the State of Alabama in said Decatur Daily, once a week for four consecutive weeks, said notice having been published in the issues of said paper published on June 16, June 23, June 30, and July 7, all in the year 1955.

B. C. SHELTON.

Sworn to and subscribed before me, this 8th day of July, 1955.

R. H. JERVIS,
Notary Public.

My commission expires Oct. 21, 1957.

By Mr. Cox (with notice and proof):

H. 756. To provide further for the government of Marshall County; to abolish the Court of County Commissioners of Marshall County and to create in lieu thereof the Board of Revenue and Control of Marshall County; to provide for the election of the members of the board and to prescribe their qualifications, terms, and compensation; and to provide for the organization, powers, jurisdiction, and duties of the board, and the authority and duties of its individual members.

Local Legislation No. 1.

Notice and Proof H. 756:

A BILL TO BE ENTITLED AN ACT

To provide further for the government of Marshall County; to abolish the Court of County Commissioners of Marshall County and to create in lieu thereof the Board of Revenue and Control of Marshall County; to provide for the election of the members of the board and to prescribe their qualifications, terms and compensation; and to provide for the organization, powers, jurisdiction, and duties of the board, and the authority and duties of its individual members.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Court of County Commissioners for Marshall County created by Act No. 89, Local Acts of Alabama, Extra Session, 1936, page 49, as amended, is abolished; and there is created in lieu thereof the Board of Revenue and Control of Marshall County, to be composed of the judge of probate of Marshall County as member and chairman of the board and four associate members.

Section 2. At the general election to be held in 1958, and every four years thereafter, one associate member of the board shall be elected by the qualified electors of each of the districts established by Section 3 of this Act. Each associate member of the board must be a resident and qualified elector of the district from which he is elected, and shall continue to reside therein during his continuance in office. Associate members of the board shall hold office for terms of four years from the first Monday after the second Tuesday in January next succeeding their election, and until their successors are elected and qualified. In the event of a vacancy on the board, the vacancy shall be filled by appointment by the Governor for the unexpired term. The associate members of the Court of County Commissioners elected at the general election in 1954 shall serve as members of the Board of Revenue and Control until their successors are elected and qualified as provided in this Act.

Section 3. For purposes of electing the associate members of the board, as provided in Section 2 hereof, Marshall County is divided into the following districts: District No. 1, shall be composed of the territory included within the present boundaries of precincts 1, 12, 14, 15, 21, 25, 26, 27 and 29; District No. 2 shall be composed of the territory included within the present boundaries of precincts 7, 8, 9, 10, 11, 19, 23 and 30; District No. 3 shall be composed of the territory included within the present boundaries of precincts 2, 3, 4, 13, 16, 22, and 28; District No. 4 shall be composed of the territory included within the present boundaries of precincts 5, 6, 17, 18, 20, and 24.

Section 4. The judge of probate shall have a vote on all questions coming before the board, shall be its presiding officer, shall sign the minutes of the proceedings of the board, and shall have the same power and authority as the other members in passing on all questions before the board. He shall sign and draw all warrants drawn on the county depositories, and all orders for the payment and disbursement of the funds of the county, and shall sign all contracts entered into by the Board of Revenue and Control for and on behalf of the county. The judge of probate shall prepare business and obtain information for the sessions of the board, see that all orders thereof are properly issued, and exercise all the powers and perform all the duties required by judges of probate as to matters coming before the courts of county commissioners.

Section 5. Except as otherwise provided in this Act, the Board of Revenue and Control shall have all the jurisdiction and powers which are, or which hereafter may be, vested in courts of county commissioners or other like county governing bodies by the general laws of the State, or vested in the governing body of Marshall County by local law; and the members of the board shall perform all the duties and services and exercise all the powers which are, or which hereafter may be, provided by law for members of courts of county commissioners or other like county governing bodies, or for members of the governing body of Marshall County. The chairman of the board may appoint a chief clerk to the board. The board may appoint as many assistant clerks as are necessary for the convenient and orderly transaction of its business, and fix the salaries and terms of employment of the chief clerk and the assistant clerks.

Section 6. Each member of the board shall devote his entire time to the duties of his office, and shall attend the meetings of the board, which shall hold its session on the third Monday of each month and may continue in session as long as may be necessary to conduct the business of the county. The board may adjourn its meetings to any day which it may desire, and may hold special sessions at any time upon the call of the chairman. Three members of the board shall constitute a quorum for the transaction of business.

Section 7. As full compensation for the services required of them by this Act, the associate members of the board shall receive a salary of three hundred dollars (\$300.00) per month, payable monthly out of the general fund of the county or out of any monies belonging to the road and bridge fund of the county or of the gasoline or motor fuels tax monies appropriated to the county. It is provided, however, that each associate member of the board shall be furnished, at the expense of the county, a pickup truck or other suitable conveyance to be used by such members in carrying out their duties of office. As compensation for the services required of him by this Act, the judge of probate shall be paid a salary of one hundred dollars (\$100.00) per month, payable monthly, out of the general fund of the county or out of any monies belonging to the road and bridge fund of the county or out of the gasoline or motor fuels tax monies appropriated to the county, which shall be in full of all compensation to be paid to him for such services.

Section 8. Farm-to-market roads within the county shall be constructed and maintained by the board. The board may employ, and when necessary terminate the employment of, an engineer and such assistants as are necessary properly to construct, repair, and maintain the farm-to-market roads. Other county roads and bridges shall be constructed, repaired, and maintained by the board on a district basis. Each associate member of the board shall serve as supervisor of roads within his district, and may employ, supervise, direct, and when necessary terminate the employment of, such assistants and labor as are necessary properly to construct, repair, and maintain such other county roads and bridges within his district. All county purchases shall be made by the board functioning as a board, except that in cases of emergency each associate member shall be allowed to purchase necessary parts, equipment, and other supplies in an amount not to exceed three hundred dollars (\$300). Purchase orders for such emergency purchases may be issued after the purchases are made. It is provided, however, that all purchases of major pieces of equipment, such as trucks, patrols, and tractors, shall be made by the board as a whole.

Section 9. All laws or parts of laws in conflict with the provisions of this Act are repealed. Act No. 89, Local Acts of Alabama, Extra Session, 1936, page 49, as amended by Act No. 394, Acts of Alabama, Regular Session, 1953, page 468, and Act No. 146, Local Acts of Alabama, Regular Session, 1947, page 85, as amended by Act No. 76, Acts of Alabama, Regular Session, 1951, page 291, are expressly repealed.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

6-16-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said

State, this day personally appeared J. J. Benford, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Albertville Herald, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 16, June 23, June 30, and July 7, all in the year 1955.

J. J. BENFORD.

Sworn to and subscribed before me July 18, 1955.

J. A. McGEE,
Notary Public, Marshall County, Alabama.

My Commission expires Dec. 28, 1955.

By Messrs. Tyson and Edwards (Escambia) (by request):

H. 757. To amend Title 55, Chapter 7, Article 1, of the Code of Alabama of 1940, as amended, by repealing all of Article 1, of the said Title 55, Chapter 7, and substituting in lieu thereof a new Article 1, which shall read as follows: Title 55, Chapter 7, Article 1.

Judiciary.

By Messrs. Goodwyn, Hall, Nolen, Stokes, Brannan, Law, Lee (Barbour), Lackey, Selman, Kelly, Perry and Steagall:

H. 758. To amend Title 11 Section 98, Code of Alabama 1940, as amended, which provides for fee and oaths of jurors.

Judiciary.

By Mr. Harrison:

H. 759. To provide additional compensation for the county solicitor, deputy circuit solicitor, or assistant circuit solicitor in all counties having a population of not less than 29,500 nor more than 30,500 inhabitants, according to the last or any subsequent federal decennial census.

Local Legislation No. 1.

By Mr. Harrison:

H. 760. To fix the compensation of the members, other than the chairman, of the court of county commissioners, board of revenue, or like governing body, of all counties having a population of not less than 29,500 nor more than 30,500 inhabitants, according to the last or any subsequent decennial census of the United States; and to provide for the manner of payment of such compensation.

Local Legislation No. 1.

By Messrs. Callahan and deGraffenried (with notice and proof):

H. 761. To amend Section 1 of Senate Bill No. 396 of the Acts of the Legislature of Alabama of 1935, approved September 9, 1935, entitled, "An Act, to authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, Corporations, Co-partnerships, Companies, Agencies, Associations, and Refiners, selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county, gasoline, naptha, and other liquid motor fuels or any devices or substitutes therefor, commonly used in internal combustion engines, but not including 'kerosene oil', 'fuel oil', or 'crude oil', commonly used for lighting, heating or industrial purposes, not to exceed one cent per gallon; To authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery

for the collection of said privilege tax; To make provision for the distribution of the funds derived from said privilege tax; To prohibit any incorporated city or town in said County from levying or collecting a municipal privilege tax on such motor fuels or upon the business of selling, delivering, withdrawing from storage, or keeping in storage such motor fuels, on a quantity basis; To repeal the municipal privilege, excise and/or license taxes on gasoline, Woco-pep, or any other motor fuel used by self propelled vehicles which may now be collected or levied by any incorporated city or town in said County; To provide for the use of the money derived from said privilege tax, and to provide penalties for the violation of such rules and regulations; To repeal all laws and parts of laws in conflict with this Act, and to provide when this Act shall become effective."

Local Legislation No. 1.

Notice and Proof H. 761:

A Bill substantially like the following form will be proposed in the current session of the Legislature of Alabama for passage.

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Senate Bill No. 396 of the Acts of the Legislature of Alabama of 1935, approved September 9, 1935, entitled, "An Act, to authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, Corporations, co-partnerships, companies, agencies, Associations, and Refiners, selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county, gasoline, naptha, and other liquid motor fuels or any devices or substitutes therefor, commonly used in internal combustion engines, but not including 'kerosene oil', 'fuel oil', or 'crude oil', commonly used for lighting, heating or industrial purposes, not to exceed one cent per gallon; To authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; To make provision for the distribution of the funds derived from said privilege tax; To prohibit any incorporated city or town in said County from levying or collecting a municipal privilege tax on such motor fuels or upon the business of selling, delivering, withdrawing from storage, or keeping in storage such motor fuels, on a quantity basis; To repeal the municipal privilege, excise and/or license taxes on gasoline, Woco-pep, or any other motor fuel used by self propelled vehicles which may now be collected or levied by any incorporated city or town in said County; To provide for the use of the money derived from said privilege tax, and to provide penalties for the violation of such rules and regulations; To repeal all laws and parts of laws in conflict with this Act, and to provide when this Act shall become effective."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 1 of Senate Bill No. 396, passed by the 1935 Legislature of Alabama, approved September 9, 1935, be amended to read as follows:

"Section 1. That the Board of Revenue of Tuscaloosa County, Alabama, may, for the purpose of constructing and maintaining public roads, streets, bridges, and ferries in Tuscaloosa County, Alabama, levy and collect a privilege tax of not more than one cent per gallon on all gasoline, naptha, and other liquid motor fuels or any device or substitute therefor, commonly used in internal combustion engines; provided, however, that nothing contained herein shall be held to apply to those

products known commercially as 'kerosene oil', 'fuel oil', or 'crude oil', commonly used for lighting, heating or industrial purposes, sold or delivered in said County, for the privilege of selling or delivering same," and further provided, however, that the provisions of this Section shall not apply to the Tuscaloosa County Board of Education, and that agency is hereby exempt from the payment of said privilege tax.

Section 2. This act shall become effective immediately upon its passage and approval by the government.

June 18-25; July 2-9.4TC.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa, County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, June 25, July 2, and July 9, all in the year 1955.

BUFORD BOONE.

Sworn to and subscribed before me July 11, 1955.

LILLA COLLINS,
Notary Public.

By Messrs. Grouby and Windle:

H. 762. To raise revenue; levying sales and use taxes in addition to the sales and use taxes levied by Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940); providing for the assessment, collection, and enforcement of such additional taxes, and for the dedication of the proceeds thereof for educational purposes.

Ways and Means.

BILLS ON THIRD READING

H. 340 INDEFINITELY POSTPONED

On motion of Mr. Murphy, the bill, H. 340, was indefinitely postponed.

And the bill:

H. 561. To authorize and provide for the establishment of a fund to be designated as the "Solicitor's Fund" for the Solicitor of the Sixth Judicial Circuit, to be drawn upon by the Circuit Solicitor of the Sixth Judicial Circuit, and to provide that the Solicitor's fees taxed in all criminal proceedings in the Circuit Court of Tuscaloosa County be paid into such fund for such purpose.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Albea	Bassett	Bradford
Adams	Ashworth	Boyd	Brannan

Branyon	Gist	Kendall	Nolen
Brassell	Goodwyn	Killough	Oakley
Broadfoot	Gregory	Kirkham	Oden
Brooks	Grouby	Lackey	Payne
Brown (Lamar)	Hain	Law	Pruitt
Brown (Lee)	Hall	Lee (Barbour)	Ramey
Burkhalter	Haltom	Lee (Lawrence)	Reynolds
Callahan	Hanby	Locke (Choctaw)	Richardson
Cornett	Hardy	Locke (Perry)	Selman
Cox	Hare	Love	Shumate
Davis	Harrison	McClendon	Simon
Dawkins	Harvey	McKay	Solomon
deGraffenried	Hawkins	McLendon	Speaks
Dement	Hodges	McNider	Steagall
DeSear	Holliman	Mathews	Stembridge
Dickson	Huddleston	Mathison	Stokes
Edwards (Escambia)	Hunt	Molette	Taylor
Edwards (Jefferson)	Jenkins	Money	Thomas
Faulk	Johnson (Elmore)	Murphy	Tyson
Franklin	Johnson (Tallapoosa)	Nettles	Ward
Gilchrist	Kelly	Nice	Wood

—92

And the bill:

H. 698. To amend Section 4 and Section 5 of an Act entitled an Act "To provide for appointment of official court reporters of the circuit courts in those circuits which are now, or which may hereafter be, composed of only one county and having not less than four nor more than nine circuit judges; to provide for their qualifications, to fix their compensation, to define their duties and provide for the appointment of special reporters in such cases; and to repeal all laws which may be in conflict herewith", approved April 8, 1955.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hunt	Molette
Adams	Edwards (Escambia)	Jenkins	Money
Albea	Edwards (Jefferson)	Johnson (Elmore)	Murphy
Ashworth	Faulk	Johnson (Tallapoosa)	Nettles
Bassett	Ferrell	Kelly	Nice
Boyd	Franklin	Kendall	Nolen
Bradford	Gilchrist	Killough	Oakley
Brannan	Gist	Lackey	Oden
Brassell	Goodwyn	Law	Payne
Broadfoot	Gregory	Lee (Barbour)	Pruitt
Brooks	Grouby	Lee (Lawrence)	Ramey
Brown (Lamar)	Hain	Locke (Choctaw)	Reynolds
Brown (Lee)	Hall	Locke (Perry)	Richardson
Burkhalter	Haltom	Love	Roberts
Callahan	Hanby	McClendon	Selman
Cornett	Hardy	McKay	Shumate
Cox	Harrison	McLendon	Simon
Davis	Harvey	McNider	Solomon
Dawkins	Hawkins	Mathews	Speaks
deGraffenried	Hodges	Mathison	Steagall
DeSear	Huddleston	Meeks	Stembridge

Taylor
Thomas

Tyson
Vacca

Ward

Wood

—90

And the bill:

H. 699. To provide further for the compensation of the circuit solicitor in circuits composed of one county and having not less than four nor more than nine circuit judges.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kelly	Nolen
Adams	Faulk	Kendall	Oakley
Albea	Ferrell	Killough	Oden
Ashworth	Franklin	Lackey	Payne
Bassett	Gilchrist	Law	Pruitt
Boyd	Gist	Lee (Barbour)	Ramey
Bradford	Goodwyn	Lee (Lawrence)	Reynolds
Brannan	Gregory	Locke (Choctaw)	Richardson
Prassell	Grouby	Locke (Perry)	Roberts
Broadfoot	Hain	Love	Selman
Brooks	Hall	McClendon	Shumate
Brown (Lamar)	Halton	McKay	Simon
Brown (Lee)	Hanby	McLendon	Solomon
Burkhalter	Hardy	McNider	Speaks
Callahan	Harrison	Mathews	Steagall
Cornett	Harvey	Mathison	Stembridge
Cox	Hawkins	Meeks	Taylor
Davis	Hodges	Mollette	Thomas
Dawkins	Huddleston	Money	Tyson
deGraffenried	Hunt	Murphy	Vacca
DeSear	Jenkins	Nettles	Ward
Dickson	Johnson (Elmore)	Nice	Wood
Edwards (Escambia)	Johnson (Tallapoosa)		

—90

And the bill:

H. 701. To amend Sections 5, 17, 20, and 25 of Act No. 187, S. 339, approved June 29, 1951 (Acts of Alabama 1951, Page 438), which provides for a Firemen's and Policemen's Pension and Relief Fund in cities which have a population exceeding forty-five thousand and not exceeding fifty-four thousand inhabitants according to the preliminary census of April 1, 1951, or any subsequent Federal Census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Boyd	Brooks	Cornett
Adams	Bradford	Brown (Lamar)	Cox
Albea	Brannan	Brown (Lee)	Davis
Ashworth	Brassell	Burkhalter	Dawkins
Bassett	Broadfoot	Callahan	deGraffenried

DeSear	Harvey	McClendon	Ramey
Dickson	Hawkins	McKay	Reynolds
Edwards (Escambia)	Hodges	McLendon	Richardson
Edwards (Jefferson)	Huddleston	McNider	Roberts
Faulk	Hunt	Mathews	Selman
Ferrell	Jenkins	Mathison	Shumate
Franklin	Johnson (Elmore)	Meeks	Simon
Gilchrist	Johnson (Tallahassee)	Molette	Solomon
Gist	Kelly	Money	Speaks
Goodwyn	Kendall	Murphy	Steagall
Gregory	Killough	Nettles	Stembridge
Grouby	Lackey	Nice	Taylor
Hain	Law	Nolen	Thomas
Hall	Lee (Barbour)	Oakley	Tyson
Haltom	Lee (Lawrence)	Oden	Vacca
Hanby	Locke (Choctaw)	Payne	Ward
Hardy	Locke (Perry)	Pruitt	Wood
Harrison	Love		

—90

And the bill:

H. 702. To apply in all counties in the State having a population of not less than 63,750 nor more than 72,750 inhabitants according to the last or any subsequent federal decennial census; authorizing the clerk of the circuit court to issue warrants in criminal cases.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kelly	Nolen
Adams	Faulk	Kendall	Oakley
Albea	Ferrell	Killough	Oden
Ashworth	Franklin	Lackey	Payne
Bassett	Gilchrist	Law	Pruitt
Boyd	Gist	Lee (Barbour)	Ramey
Bradford	Goodwyn	Lee (Lawrence)	Reynolds
Brannan	Gregory	Locke (Choctaw)	Richardson
Brassell	Grouby	Locke (Perry)	Roberts
Broadfoot	Hain	Love	Selman
Brooks	Hall	McClendon	Shumate
Brown (Lamar)	Haltom	McKay	Simon
Brown (Lee)	Hanby	McLendon	Solomon
Burkhalter	Hardy	McNider	Speaks
Callahan	Harrison	Mathews	Steagall
Cornett	Harvey	Mathison	Stembridge
Cox	Hawkins	Meeks	Taylor
Davis	Hodges	Molette	Thomas
Dawkins	Huddleston	Money	Tyson
deGraffenried	Hunt	Murphy	Vacca
DeSear	Jenkins	Nettles	Ward
Dickson	Johnson (Elmore)	Nice	Wood
Edwards (Escambia)	Johnson (Tallahassee)		

—90

And the bill:

H. 687. To vacate and annul the dedication of the following described portion of Seventh Street, in the City of Tusculumbia, Colbert

County, Alabama: That portion of Seventh Street lying between the easterly margin line of Water Street and the westerly margin line of Main Street.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kelly	Nolen
Adams	Faulk	Kendall	Oakley
Albea	Ferrell	Killough	Oden
Ashworth	Franklin	Lackey	Payne
Bassett	Gilchrist	Law	Pruitt
Boyd	Gist	Lee (Barbour)	Ramey
Bradford	Goodwyn	Lee (Lawrence)	Reynolds
Brannan	Gregory	Locke (Choctaw)	Richardson
Brassell	Grouby	Locke (Perry)	Roberts
Broadfoot	Hain	Love	Selman
Brooks	Hall	McClendon	Shumate
Brown (Lamar)	Haltom	McKay	Simon
Brown (Lee)	Hanby	McLendon	Solomon
Burkhalter	Hardy	McNider	Speaks
Callahan	Harrison	Mathews	Steagall
Cornett	Harvey	Mathison	Stembridge
Cox	Hawkins	Meeks	Taylor
Davis	Hodges	Molette	Thomas
Dawkins	Huddleston	Money	Tyson
deGraffenried	Hunt	Murphy	Vacca
DeSear	Jenkins	Nettles	Ward
Dickson	Johnson (Elmore)	Nice	Wood
Edwards (Escambia)	Johnson (Tallapoosa)		

—90

And the bill:

H. 704. Relating to Bullock County: Fixing the compensation of the tax assessor and the tax collector of Bullock County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Cornett	Gregory	Johnson (Tallapoosa)
Adams	Cox	Grouby	Kelly
Albea	Davis	Hain	Kendall
Ashworth	Dawkins	Hall	Killough
Bassett	deGraffenried	Haltom	Lackey
Boyd	DeSear	Hanby	Law
Bradford	Dickson	Hardy	Lee (Barbour)
Brannan	Edwards (Escambia)	Harrison	Lee (Lawrence)
Brassell	Edwards (Jefferson)	Harvey	Locke (Choctaw)
Broadfoot	Faulk	Hawkins	Locke (Perry)
Brooks	Ferrell	Hodges	Love
Brown (Lamar)	Franklin	Huddleston	McClendon
Brown (Lee)	Gilchrist	Hunt	McKay
Burkhalter	Gist	Jenkins	McLendon
Callahan	Goodwyn	Johnson (Elmore)	McNider

Mathews	Nolen	Roberts	Stembridge
Mathison	Oakley	Selman	Taylor
Meeks	Oden	Shumate	Thomas
Molette	Payne	Simon	Tyson
Money	Pruitt	Solomon	Vacca
Murphy	Ramey	Speaks	Ward
Nettles	Reynolds	Steagall	Wood
Nice	Richardson		

—90

And the bill:

H. 703. Relating to Bullock County; proposing an amendment to the Constitution of Alabama relative to regulating the fees, commissions, allowances and salaries of certain officers of Bullock County, and ordering an election thereon.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kelly	Nolen
Adams	Faulk	Kendall	Oakley
Albea	Ferrell	Killough	Oden
Ashworth	Franklin	Lackey	Payne
Bassett	Gilchrist	Law	Pruitt
Boyd	Gist	Lee (Barbour)	Ramey
Bradford	Goodwyn	Lee (Lawrence)	Reynolds
Brannan	Gregory	Locke (Choctaw)	Richardson
Brassell	Grouby	Locke (Perry)	Roberts
Broadfoot	Hain	Love	Selman
Brooks	Hall	McClendon	Shumate
Brown (Lamar)	Haltom	McKay	Simon
Brown (Lee)	Hanby	McLendon	Solomon
Burkhalter	Hardy	McNider	Speaks
Callahan	Harrison	Mathews	Steagall
Cornett	Harvey	Mathison	Stembridge
Cox	Hawkins	Meeks	Taylor
Davis	Hodges	Molette	Thomas
Dawkins	Huddleston	Money	Tyson
deGraffenried	Hunt	Murphy	Vacca
DeSear	Jenkins	Nettles	Ward
Dickson	Johnson (Elmore)	Nice	Wood
Edwards (Escambia)	Johnson (Tallapoosa)		

—90

And the bill:

H. 697 (with amendment): To apply in all counties of the State having a population of not less than 200,000 nor more than 400,000, according to the last or any subsequent Federal decennial census; providing for the appointment of bailiffs for the Circuit Courts in such counties, prescribing their duties, and regulating their compensation.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

AMENDMENT OF H. B. 697

Amend the bill by striking out the first two sentences in Section 3.

And the amendment was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kelly	Nolen
Adams	Faulk	Kendall	Oakley
Albea	Ferrell	Killough	Oden
Ashworth	Franklin	Lackey	Payne
Bassett	Gilchrist	Law	Pruitt
Boyd	Gist	Lee (Barbour)	Ramey
Bradford	Goodwyn	Lee (Lawrence)	Reynolds
Brannan	Gregory	Locke (Choctaw)	Richardson
Brassell	Grouby	Locke (Perry)	Roberts
Broadfoot	Hain	Love	Selman
Brooks	Hall	McClendon	Shumate
Brown (Lamar)	Haltom	McKay	Simon
Brown (Lee)	Hanby	McLendon	Solomon
Burkhalter	Hardy	McNider	Speaks
Callahan	Harrison	Martin	Steagall
Cornett	Harvey	Mathews	Stembridge
Cox	Hawkins	Mathison	Taylor
Davis	Hodges	Meeks	Thomas
Dawkins	Huddleston	Molette	Tyson
deGraffenried	Hunt	Money	Vacca
DeSear	Jenkins	Murphy	Ward
Dickson	Johnson (Elmore)	Nettles	Wood
Edwards (Escambia)	Johnson (Tallapoosa)	Nice	

—91

And said bill, H. 697, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	DeSear	Hodges	Martin
Adams	Dickson	Huddleston	Mathews
Albea	Edwards (Escambia)	Hunt	Mathison
Ashworth	Edwards (Jefferson)	Jenkins	Meeks
Bassett	Faulk	Johnson (Elmore)	Molette
Boyd	Ferrell	Johnson (Tallapoosa)	Money
Bradford	Franklin	Kelly	Murphy
Brannan	Gilchrist	Kendall	Nettles
Brassell	Gist	Killough	Nice
Broadfoot	Goodwyn	Lackey	Nolen
Brooks	Gregory	Law	Oakley
Brown (Lamar)	Grouby	Lee (Barbour)	Oden
Brown (Lee)	Hain	Lee (Lawrence)	Payne
Burkhalter	Hall	Locke (Choctaw)	Pruitt
Callahan	Haltom	Locke (Perry)	Ramey
Cornett	Hanby	Love	Reynolds
Cox	Hardy	McClendon	Richardson
Davis	Harrison	McKay	Roberts
Dawkins	Harvey	McLendon	Selman
deGraffenried	Hawkins	McNider	Shumate

Simon
Solomon
Speaks

Steagall
Stembridge
Taylor

Thomas
Tyson
Vacca

Ward
Wood

—91

RESOLUTION

The following resolution was introduced:

By Mr. Stokes:

H. J. R. 54. Whereas Miss Delores Arnette of Enterprise has earned the signal honor of being named "All-American Homemaker of Tomorrow" as a result of her outstanding success in the recent test sponsored by General Mills Incorporated, in which she competed against 180,000 entrants from all parts of the Nation;

Whereas as a reward for her accomplishment she has been given an all-expense tour of the Nation, and because of her natural beauty, charm, poise, talent and Christian character she will most surely create interest in this State wherever she goes; thus the recognition she has won will redound to the credit and benefit of Alabama; and

Whereas the Legislature wishes to honor Miss Arnette

Be It Resolved By The House of Representatives, the Senate concurring:

1. Miss Arnette is hereby congratulated on behalf of the State of Alabama for her outstanding achievement.

2. An invitation is hereby extended to Miss Arnette to visit the Capitol, and City of Montgomery during the present session of the Legislature, and the privilege of the floor of both houses are extended to her.

3. The Clerk of the House of Representatives is directed to transmit a copy of this Resolution to Miss Arnette and to release a copy of it to the press.

On motion of Mr. Stokes the rules were suspended and H. J. R. 54 was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED RESOLUTION

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed resolution with the original resolution and finds same correctly engrossed, to-wit:

H. J. R. 50. Relative to appointing an interim committee known as the Tax Study Committee to study state taxes and make a report to the Legislature and to the Governor not later than the 10th legislative day of the 1957 regular session of the Legislature.

**RANKIN FITE,
Chairman.**

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

H. 587 POSTPONED

Mr. Kendall moved that consideration of the bills, H. 587, H. 273, H. 87, H. 209, H. 208, H. 207, H. 484, H. 483, H. 210, H. 211, H. 214,

H. 215, H. 217, H. 470 and H. 617 be postponed until the twenty-fourth legislative day.

Mr. Dawkins called for a division of the question.

Mr. Kendall then moved that consideration of the bill, H. 587, be postponed until the twenty-fourth legislative day, and the motion was adopted.

Yeas 53; Nays 48.

Yeas:

Messrs.	Grouby	Killough	Payne
Adams	Hain	Kirkham	Perry
Bassett	Hall	Lackey	Pruitt
Boyd	Hardy	Locke (Choctaw)	Richardson
Brown (Lee)	Hare	Locke (Perry)	Roberts
Callahan	Harrison	McClendon	Solomon
Cornett	Harvey	McKay	Stokes
Crook	Holliman	McLendon	Summerlin
DeSear	Huddleston	Meeks	Taylor
Dickson	Hunt	Molette	Thomas
Edwards (Jefferson)	Jenkins	Nettles	Tyson
Faulk	Johnson (Tallapoosa)	Nolen	Vacca
Gilchrist	Kaul	Oakley	Windle
Goodwyn	Kendall		

—53

Nays:

Mr. Speaker	Davis	Hodges	Nice
Albea	Dawkins	Johnson (Elmore)	Oden
Ashworth	deGraffenried	Kelly	Ramey
Bradford	Dement	Law	Reynolds
Brannan	Edwards (Escambia)	Lee (Barbour)	Selman
Branyon	Ferrell	Lee (Lawrence)	Shumate
Brassell	Franklin	Love	Simon
Broadfoot	Gist	McNider	Speaks
Brooks	Grouby	Martin	Steagall
Brown (Lamar)	Halton	Mathews	Stembridge
Burkhalter	Hanby	Money	Ward
Cox	Hawkins	Murphy	Wood

—48

MOTION TO RECESS LOST

The motion of Mr. Dawkins to recess until 2:30 o'clock this afternoon was lost.

Yeas 43; Nays 55.

Yeas:

Mr. Speaker	Dickson	Kelly	Selman
Ashworth	Edwards (Escambia)	Lackey	Simon
Branyon	Edwards (Jefferson)	Law	Speaks
Brassell	Ferrell	McLendon	Steagall
Brooks	Gregory	Martin	Stembridge
Brown (Lamar)	Hall	Mathews	Summerlin
Cox	Hanby	Murphy	Thomas
Davis	Hare	Nice	Tyson
Dawkins	Hawkins	Oden	Ward
deGraffenried	Holliman	Ramey	Wood
Dement	Hunt	Reynolds	

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Nays:

Messrs.	Franklin	Johnson (Tallapoosa)	Money
Adams	Gilchrist	Kaul	Nettles
Albea	Gist	Kendall	Nolen
Bassett	Goodwyn	Killough	Oakley
Boyd	Grouby	Kirkham	Payne
Bradford	Hain	Lee (Barbour)	Perry
Brannan	Haltom	Locke (Choctaw)	Pruitt
Broadfoot	Hardy	Locke (Perry)	Richardson
Brown (Lee)	Harrison	Love	Roberts
Burkhalter	Harvey	McClendon	Solomon
Callahan	Hodges	McKay	Stokes
Cornett	Huddleston	McNider	Taylor
DeSear	Jenkins	Mathison	Vacca
Faulk	Johnson (Elmore)	Meeks	Windle

—55

MOTION TO POSTPONE BILLS

Mr. Kendall moved that consideration of the bills, H. 273, H. 87, H. 209, H. 208, H. 207, H. 484, H. 483, H. 210, H. 211, H. 214, H. 215, H. 217, H. 470 and H. 617 be postponed until the twenty-fourth legislative day.

Mr. Dawkins called for a division of the question.

MOTIONS TO RECESS LOST

The motion of Mr. Brown (Lee) to recess until 2:00 o'clock this afternoon was lost.

The motion of Mr. Branyon to recess until 2:00 o'clock this afternoon was lost.

H. 273 POSTPONED

Mr. Kendall then moved that consideration of the bill, H. 273, be postponed until the twenty-fourth legislative day, and the motion was adopted.

Yeas 61; Nays 39.

Yeas:

Messrs.	Faulk	Jenkins	Nettles
Adams	Ferrell	Johnson (Tallapoosa)	Nolen
Albea	Franklin	Kaul	Oakley
Bassett	Gilchrist	Kendall	Payne
Boyd	Goodwyn	Killough	Perry
Bradford	Grouby	Kirkham	Pirkle
Broadfoot	Hain	Lackey	Richardson
Brooks	Hall	Lee (Barbour)	Roberts
Brown (Lee)	Haltom	Locke (Choctaw)	Solomon
Callahan	Hardy	Locke (Perry)	Stokes
Cornett	Hare	McClendon	Summerlin
Crook	Harrison	McKay	Taylor
DeSear	Harvey	McLendon	Thomas
Dickson	Holliman	McNider	Vacca
Edwards (Jefferson)	Hunt	Molette	Windle

Nays:

Mr. Speaker	Ashworth	Brannan	Branyon
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Brassell	Gist	Mathews	Shumate
Brown (Lamar)	Hanby	Mathison	Simon
Burkhalter	Hawkins	Meeks	Speaks
Cox	Hodges	Money	Steagall
Davis	Johnson (Elmore)	Nice	Stembridge
Dawkins	Kelly	Ramey	Tyson
deGraffenried	Law	Reynolds	Ward
Dement	Lee (Lawrence)	Selman	Wood
Edwards (Escambia)	Martin		

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RECESS

On motion of Mr. Davis the House recessed until 2:30 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:30 o'clock P.M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. 30. Relating to state government administration; creating a State Banking Department, and defining its powers and duties; transferring to the department the administration of the laws relating to banks and banking, credit unions, savings and loan associations, and the small-loan business; transferring to the department the bureau of banking; the bureau of savings and loan, and the bureau of loans, and supplies ment of commerce, and the personnel, funds, equipment, and supplies of such bureaus; providing for a Superintendent of Banks and Savings and Loan Commissioner as head of the State Banking Department; prescribing his salary, qualifications, and duties; and abolishing the Department of Commerce and the office of Director of Commerce.

And the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Yarbrough (Autauga), Coleman and Little.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 53. Relative to adjournment of the two Houses until Tuesday, July 26, 1955.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Hawkins the House non-concurred in the Senate substitute for the resolution, H. J. R. 53, said Senate substitute being as follows:

SUBSTITUTE FOR H. J. R. 53

Resolved by the House, the Senate concurring, that when the two Houses adjourn today they adjourn to meet again on Friday, July 22nd, 1955.

H. 87 POSTPONED

Mr. Kendall moved to postpone consideration of the bill, H. 87, until the twenty-fourth legislative day.

The motion of Mr. Dawkins to lay on the table the motion of Mr. Kendall to postpone consideration of the bill, H. 87, until the twenty-fourth legislative day was lost.

Yeas 37; Nays 64.

Yeas:

Mr. Speaker	Edwards (Escambia)	Lee (Lawrence)	Shumate
Albea	Gist	Martin	Simon
Branyon	Gregory	Mathews	Speaks
Brassell	Hanby	Money	Steagall
Brown (Lamar)	Hawkins	Nice	Stembridge
Burkhalter	Hodges	Oden	Summerlin
Davis	Huddleston	Ramey	Tyson
Dawkins	Johnson (Elmore)	Reynolds	Ward
deGraffenried	Law	Selman	Wood
Dement			

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Nays:

Messrs.	Faulk	Johnson (Tallapoosa)	Murphy
Adams	Ferrell	Kaul	Nettles
Ashworth	Franklin	Kelly	Nolen
Bassett	Gilchrist	Kendall	Oakley
Boyd	Goodwyn	Killough	Payne
Bradford	Gregory	Kirkham	Perry
Brannan	Grouby	Lackey	Pirkle
Broadfoot	Hain	Lee (Barbour)	Pruitt
Brooks	Hall	Locke (Choctaw)	Richardson
Brown (Lee)	Haltom	Locke (Perry)	Roberts
Callahan	Hardy	McClendon	Solomon
Cornett	Hare	McKay	Stokes
Cox	Harrison	McLendon	Taylor
Crook	Harvey	McNider	Thomas
DeSear	Holliman	Meeks	Vacca
Dickson	Hunt	Molette	Windle
Edwards (Jefferson)	Jenkins		

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And the motion of Mr. Kendall to postpone consideration of the bill, H. 87, until the twenty-fourth legislative day was adopted.

Yeas 60; Nays 40.

Yeas:

Messrs.	Brannan	Cornett	Edwards (Jefferson)
Adams	Broadfoot	Cox	Faulk
Bassett	Brooks	Crook	Ferrell
Boyd	Brown (Lee)	DeSear	Franklin
Bradford	Callahan	Dickson	Gilchrist

Goodwyn	Johnson (Tallapoosa)	McKay	Pirkle
Grouby	Kaul	McLendon	Pruitt
Hall	Kendall	McNider	Richardson
Haltom	Killough	Meeks	Roberts
Hardy	Kirkham	Molette	Solomon
Hare	Lackey	Nettles	Stokes
Harrison	Lee (Barbour)	Nolen	Taylor
Harvey	Locke (Choctaw)	Oakley	Thomas
Holliman	Locke (Perry)	Payne	Vacca
Hunt	McClendon	Perry	Windle
Jenkins			

—60

Nays:

Mr. Speaker	Dement	Kelly	Selman
Albea	Edwards (Escambia)	Law	Shumate
Ashworth	Gist	Love	Simon
Branyon	Gregory	Mathews	Speaks
Brassell	Hain	Money	Steagall
Brown (Lamar)	Hanby	Murphy	Stembridge
Burkhalter	Hawkins	Nice	Summerlin
Davis	Hodges	Oden	Tyson
Dawkins	Huddleston	Ramey	Ward
deGraffenried	Johnson (Elmore)	Reynolds	Wood

—40

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 95. Relating to elections: to provide that the State shall reimburse a county either in whole or in part for the expenses incurred in holding and conducting certain elections, and appropriating funds for that purpose.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing Message from the Senate.

H. 209 POSTPONED

On motion of Mr. Kendall, consideration of the bill, H. 209, was postponed until the twenty-fourth legislative day.

Yeas 62; Nays 38.

Yeas:

Messrs.	Broadfoot	Crook	Franklin
Adams	Brooks	DeSear	Gilchrist
Bassett	Brown (Lee)	Dickson	Goodwyn
Boyd	Callahan	Edwards (Jefferson)	Hain
Bradford	Cornett	Faulk	Hall
Brannan	Cox	Ferrell	Haltom

Hardy	Killough	McNider	Pruitt
Hare	Kirkham	Meeks	Richardson
Harrison	Lackey	Molette	Roberts
Harvey	Lee (Barbour)	Nettles	Solomon
Holliman	Locke (Choctaw)	Nice	Stokes
Hunt	Locke (Perry)	Nolen	Taylor
Jenkins	Love	Oakley	Thomas
Johnson (Tallapoosa)	McClendon	Payne	Vacca
Kaul	McKay	Perry	Windle
Kendall	McLendon	Pirkle	

—62

Nays:

Mr. Speaker	Dement	Law	Shumate
Albea	Edwards (Escambia)	Martin	Simon
Ashworth	Gist	Mathews	Speaks
Branyon	Gregory	Mathison	Steagall
Brassell	Hanby	Money	Stembridge
Brown (Lamar)	Hawkins	Murphy	Summerlin
Burkhalter	Hodges	Oden	Tyson
Davis	Huddleston	Reynolds	Ward
Dawkins	Johnson (Elmore)	Selman	Wood
deGraffenried	Kelly		

—38

H. 208 POSTPONED

On motion of Mr. Kendall, consideration of the bill, H. 208, was postponed until the twenty-fourth legislative day.

Yeas 62. Nays 39.

Yeas:

Messrs.	Faulk	Johnson (Tallapoosa)	Nice
Adams	Ferrell	Kaul	Nolen
Bassett	Franklin	Kendall	Oakley
Boyd	Gilchrist	Killough	Payne
Bradford	Goodwyn	Kirkham	Perry
Brannan	Grouby	Lackey	Pirkle
Broadfoot	Hain	Lee (Barbour)	Pruitt
Brooks	Hall	Locke (Choctaw)	Richardson
Brown (Lee)	Haltom	Locke (Perry)	Roberts
Callahan	Hardy	McClendon	Solomon
Cornett	Hare	McKay	Stokes
Cox	Harrison	McLendon	Taylor
Crook	Harvey	McNider	Thomas
DeSear	Holliman	Meeks	Vacca
Dickson	Hunt	Molette	Windle
Edwards (Jefferson)	Jenkins	Nettles	

—62

Nays:

Mr. Speaker	Dawkins	Hodges	Mathison
Albea	deGraffenried	Huddleston	Money
Ashworth	Dement	Johnson (Elmore)	Murphy
Branyon	Edwards (Escambia)	Kelly	Oden
Brassell	Gist	Law	Reynolds
Brown (Lamar)	Gregory	Love	Selman
Burkhalter	Hanby	Martin	Shumate
Davis	Hawkins	Mathews	Simon

Speaks
Steagall

Stembridge
Summerlin

Tyson
Ward

Wood

—39

H. 207 POSTPONED

On motion of Mr. Kendall, consideration of the bill, H. 207, was postponed until the twenty-fourth legislative day.

Yeas 61; Nays 40.

Yeas:

Messrs.	Ferrell	Kendall	Nolen
Adams	Franklin	Killough	Oakley
Bassett	Gilchrist	Kirkham	Payne
Boyd	Goodwyn	Lackey	Perry
Bradford	Grouby	Lee (Barbour)	Pirkle
Brannan	Hain	Locke (Choctaw)	Pruitt
Broadfoot	Hall	Locke (Perry)	Richardson
Brooks	Haltom	McClendon	Roberts
Callahan	Hardy	McKay	Solomon
Cornett	Hare	McLendon	Steagall
Cox	Harrison	McNider	Stokes
Crook	Harvey	Meeks	Taylor
DeSear	Hunt	Molette	Thomas
Dickson	Jenkins	Nettles	Vacca
Edwards (Jefferson)	Johnson (Tallapoosa)	Nice	Windle
Faulk	Kaul		

—61

Nays:

Mr. Speaker	Dement	Law	Reynolds
Albea	Edwards (Escambia)	Lee (Lawrence)	Selman
Ashworth	Gist	Love	Shumate
Branyon	Gregory	Martin	Simon
Brassell	Hanby	Mathews	Speaks
Brown (Lamar)	Hawkins	Mathison	Stembridge
Burkhalter	Hodges	Money	Summerlin
Davis	Huddleston	Murphy	Tyson
Dawkins	Johnson (Elmore)	Oden	Ward
deGraffenried	Kelly	Ramey	Wood

—40

H. 484 POSTPONED

On motion of Mr. Kendall, consideration of the bill, H. 484, was postponed until the twenty-fourth legislative day.

Yeas 61; Nays 39.

Yeas:

Messrs.	Cox	Grouby	Jenkins
Adams	Crook	Hain	Johnson (Tallapoosa)
Bassett	DeSear	Hall	Kaul
Boyd	Dickson	Haltom	Kendall
Bradford	Edwards (Jefferson)	Hardy	Killough
Broadfoot	Faulk	Hare	Kirkham
Brooks	Ferrell	Harrison	Lackey
Brown (Lee)	Franklin	Harvey	Lee (Barbour)
Callahan	Gilchrist	Holliman	Locke (Choctaw)
Cornett	Goodwyn	Hunt	Locke (Perry)

McClendon	Nettles	Pirkle	Steagall
McKay	Nice	Pruitt	Taylor
McLendon	Nolen	Richardson	Thomas
McNider	Oakley	Roberts	Vacca
Meeks	Payne	Solomon	Windle
Molette	Perry		

—61

Nays:

Mr. Speaker	Edwards (Escambia)	Lee (Lawrence)	Selman
Albea	Gist	Love	Shumate
Ashworth	Gregory	Martin	Simon
Branyon	Hanby	Mathews	Speaks
Brassell	Hawkins	Mathison	Stembridge
Brown (Lamar)	Hodges	Money	Summerlin
Burkhalter	Huddleston	Murphy	Tyson
Davis	Johnson (Elmore)	Oden	Ward
deGraffenried	Kelly	Ramey	Wood
Dement	Law	Reynolds	

—39

H. 483 POSTPONED

On motion of Mr. Kendall, consideration of the bill, H. 483, was postponed until the twenty-fourth legislative day.

Yeas 59; Nays 33.

Yeas:

Messrs.	Edwards (Jefferson)	Jenkins	Molette
Adams	Faulk	Johnson (Tallapoosa)	Nettles
Bassett	Ferrell	Kaul	Nice
Boyd	Franklin	Kendall	Nolen
Bradford	Gilchrist	Killough	Oakley
Brannan	Goodwyn	Kirkham	Payne
Broadfoot	Hain	Lackey	Perry
Brooks	Hall	Lee (Barbour)	Pirkle
Brown (Lee)	Halton	Locke (Choctaw)	Pruitt
Callahan	Hardy	Locke (Perry)	Richardson
Cornett	Harc	McClendon	Roberts
Cox	Harrison	McKay	Solomon
Crook	Harvey	McLendon	Taylor
DeSear	Holliman	McNider	Thomas
Dickson	Hunt	Meeks	Vacca

—59

Nays:

Mr. Speaker	Edwards (Escambia)	Lee (Lawrence)	Selman
Albea	Gist	Love	Shumate
Ashworth	Gregory	Martin	Simon
Branyon	Hanby	Mathews	Speaks
Brassell	Hawkins	Mathison	Steagall
Brown (Lamar)	Hodges	Money	Summerlin
Burkhalter	Huddleston	Murphy	Tyson
Davis	Johnson (Elmore)	Oden	Ward
deGraffenried	Kelly	Ramey	Wood
Dement	Law	Reynolds	

—39

H. 210 POSTPONED

On motion of Mr. Kendall, consideration of the bill, H. 210, was postponed until the twenty-fourth legislative day.

Yeas 63; Nays 37.

Yeas:

Messrs.	Faulk	Johnson (Tallapoosa)	Nettles
Adams	Ferrell	Kaul	Nice
Bassett	Franklin	Kendall	Nolen
Boyd	Gilchrist	Killough	Oakley
Bradford	Goodwyn	Kirkham	Payne
Brannan	Grouby	Lackey	Perry
Broadfoot	Hain	Lee (Barbour)	Pirkle
Brooks	Hall	Locke (Choctaw)	Pruitt
Brown (Lee)	Haltom	Locke (Perry)	Richardson
Callahan	Hardy	Love	Roberts
Cornett	Hare	McClendon	Solomon
Cox	Harrison	McKay	Steagall
Crook	Harvey	McLendon	Taylor
DeSear	Holliman	McNider	Thomas
Dickson	Hunt	Meeks	Vacca
Edwards (Jefferson)	Jenkins	Molette	Windle

—63

Nays:

Mr. Speaker	Edwards (Escambia)	Lee (Lawrence)	Selman
Albea	Gist	Martin	Shumate
Ashworth	Gregory	Mathews	Simon
Branyon	Hanby	Mathison	Speaks
Brassell	Hodges	Money	Stembridge
Brown (Lamar)	Huddleston	Murphy	Summerlin
Burkhalter	Johnson (Elmore)	Oden	Tyson
Davis	Kelly	Ramey	Ward
deGraffenried	Law	Reynolds	Wood
Dement			

—37

H. 211 POSTPONED

On motion of Mr. Kendall, consideration of the bill, H. 211, was postponed until the twenty-fourth legislative day.

Yeas 63; Nays 39.

Yeas:

Messrs.	Faulk	Johnson (Tallapoosa)	Nice
Adams	Ferrell	Kaul	Nolen
Bassett	Franklin	Kendall	Oakley
Boyd	Gilchrist	Killough	Payne
Bradford	Goodwyn	Kirkham	Perry
Brannan	Grouby	Lackey	Pirkle
Broadfoot	Hain	Lee (Barbour)	Pruitt
Brooks	Hall	Lee (Lawrence)	Richardson
Brown (Lee)	Haltom	Locke (Choctaw)	Roberts
Callahan	Hardy	Locke (Perry)	Solomon
Cornett	Hare	McClendon	Steagall
Cox	Harrison	McKay	Stokes
Crook	Harvey	McLendon	Taylor
DeSear	Holliman	McNider	Thomas
Dickson	Hunt	Molette	Vacca
Edwards (Jefferson)	Jenkins	Nettles	Windle

—63

Nays:

Mr. Speaker	Dement	Law	Selman
Albea	Edwards (Escambia)	Love	Shumate
Ashworth	Gist	Martin	Simon
Branyon	Gregory	Mathews	Speaks
Brassell	Hanby	Mathison	Stembridge
Brown (Lamar)	Hawkins	Money	Summerlin
Burkhalter	Hodges	Murphy	Tyson
Davis	Huddleston	Oden	Ward
Dawkins	Johnson (Elmore)	Ramey	Wood
deGraffenried	Kelly	Reynolds	

—39

H. 214 POSTPONED

On motion of Mr. Kendall, consideration of the bill, H. 214, was postponed until the twenty-fourth legislative day.

Yeas 61; Nays 41.

Yeas:

Messrs.	Faulk	Johnson (Tallapoosa)	Nettles
Adams	Ferrell	Kaul	Nolen
Bassett	Franklin	Kendall	Oakley
Boyd	Gilchrist	Killough	Payne
Bradford	Goodwyn	Kirkham	Perry
Brannan	Grouby	Lackey	Pirkle
Broadfoot	Hain	Lee (Barbour)	Pruitt
Brooks	Hall	Locke (Choctaw)	Richardson
Brown (Lee)	Haltom	Locke (Perry)	Roberts
Callahan	Hardy	Love	Solomon
Cornett	Hare	McClendon	Stokes
Cox	Harrison	McKay	Taylor
Crook	Harvey	McLendon	Thomas
DeSear	Holliman	McNider	Vacca
Dickson	Hunt	Molette	Windle
Edwards (Jefferson)	Jenkins		

—61

Nays:

Mr. Speaker	Edwards (Escambia)	Lee (Lawrence)	Selman
Albea	Gist	Martin	Shumate
Ashworth	Gregory	Mathews	Speaks
Branyon	Hanby	Mathison	Simon
Brassell	Hawkins	Money	Steagall
Brown (Lamar)	Hodges	Murphy	Stembridge
Burkhalter	Huddleston	Nice	Summerlin
Davis	Johnson (Elmore)	Oden	Tyson
Dawkins	Kelly	Ramey	Ward
deGraffenried	Law	Reynolds	Wood
Dement			

—41

H. 215 POSTPONED

On motion of Mr. Kendall, consideration of the bill, H. 215, was postponed until the twenty-fourth legislative day.

Yeas 59; Nays 42.

Yeas:

Messrs.	Bassett	Bradford	Brooks
Adams	Boyd	Broadfoot	Brown (Lee)

Cornett	Hall	Kirkham	Oakley
Cox	Haltom	Lackey	Payne
Crook	Hardy	Lee (Barbour)	Perry
DeSear	Hare	Locke (Choctaw)	Pirkle
Dickson	Harrison	Locke (Perry)	Pruitt
Edwards (Jefferson)	Harvey	McClendon	Richardson
Faulk	Holliman	McKay	Roberts
Ferrell	Hunt	McLendon	Solomon
Franklin	Jenkins	McNider	Stokes
Gilchrist	Johnson (Tallapoosa)	Meeks	Taylor
Goodwyn	Kaul	Molette	Thomas
Grouby	Kendall	Nettles	Vacca
Hain	Killough	Nolen	Windle

—59

Nays:

Mr. Speaker	Dement	Lee (Lawrence)	Selman
Albea	Edwards (Escambia)	Love	Shumate
Ashworth	Gist	Martin	Simon
Branyon	Gregory	Mathews	Speaks
Brassell	Hanby	Mathison	Steagall
Brown (Lamar)	Hawkins	Money	Stembridge
Burkhalter	Hodges	Murphy	Summerlin
Callahan	Huddleston	Oden	Tyson
Davis	Johnson (Elmore)	Ramey	Ward
Dawkins	Kelly	Reynolds	Wood
deGraffenried	Law		

—42

H. 217 POSTPONED

On motion of Mr. Kendall, consideration of the bill, H. 217, was postponed until the twenty-fourth legislative day.

Yeas 59; Nays 40.

Yeas:

Messrs.	Ferrell	Johnson (Tallapoosa)	Nettles
Adams	Franklin	Kaul	Nolen
Boyd	Gilchrist	Kendall	Oakley
Bradford	Goodwyn	Killough	Payne
Broadfoot	Grouby	Kirkham	Perry
Brooks	Hain	Lackey	Pirkle
Brown (Lee)	Hall	Lee (Barbour)	Pruitt
Callahan	Haltom	Locke (Choctaw)	Richardson
Cornett	Hardy	Locke (Perry)	Roberts
Cox	Hare	McClendon	Solomon
Crook	Harrison	McKay	Stokes
DeSear	Harvey	McLendon	Taylor
Dickson	Holliman	McNider	Thomas
Edwards (Jefferson)	Hunt	Meeks	Vacca
Faulk	Jenkins	Molette	Windle

—59

Nays:

Mr. Speaker	Brassell	deGraffenried	Gregory
Albea	Brown (Lamar)	Dement	Hanby
Ashworth	Burkhalter	Edwards (Escambia)	Hawkins
Branyon	Davis	Gist	Hodges

Huddleston	Martin	Reynolds	Steagall
Johnson (Elmore)	Mathews	Ramey	Stembridge
Kelly	Mathison	Selman	Summerlin
Law	Money	Shumate	Tyson
Lee (Lawrence)	Murphy	Simon	Ward
Love	Oden	Speaks	Wood

—40

H. 470 POSTPONED

On motion of Mr. Kendall, consideration of the bill, H. 470, was postponed until the twenty-fourth legislative day.

Yeas 60; Nays 43.

Yeas:

Messrs.	Ferrell	Johnson (Tallapoosa)	Nettles
Adams	Franklin	Kaul	Nolen
Bassett	Gilchrist	Kendall	Oakley
Boyd	Goodwyn	Killough	Payne
Bradford	Grouby	Kirkham	Perry
Brannan	Hain	Lackey	Pirkle
Broadfoot	Hall	Lee (Barbour)	Pruitt
Brooks	Haltom	Locke (Choctaw)	Richardson
Brown (Lee)	Hardy	Locke (Perry)	Roberts
Cornett	Hare	McClendon	Solomon
Cox	Harrison	McKay	Stokes
Crook	Harvey	McLendon	Taylor
DeSear	Holliman	McNider	Thomas
Dickson	Hunt	Meeks	Vacca
Edwards (Jefferson)	Jenkins	Molette	Windle
Faulk			

—60

Nays:

Mr. Speaker	Dement	Lee (Lawrence)	Selman
Albea	Edwards (Escambia)	Love	Shumate
Ashworth	Gist	Martin	Simon
Branyon	Gregory	Mathews	Speaks
Brassell	Hanby	Mathison	Steagall
Brown (Lamar)	Hawkins	Money	Stembridge
Burkhalter	Hodges	Murphy	Summerlin
Callahan	Huddleston	Nice	Tyson
Davis	Johnson (Elmore)	Oden	Ward
Dawkins	Kelly	Ramey	Wood
deGraffenried	Law	Reynolds	

—43

H. 617 POSTPONED

On motion of Mr. Kendall, consideration of the bill, H. 617, was postponed until the twenty-fourth legislative day.

Yeas 61; Nays 39.

Yeas:

Messrs.	Bradford	Callahan	DeSear
Adams	Broadfoot	Cornett	Dickson
Bassett	Brooks	Cox	Edwards (Jefferson)
Boyd	Brown (Lee)	Crook	Faulk

Ferrell	Holliman	McClendon	Perry
Franklin	Hunt	McKay	Pruitt
Gilchrist	Jenkins	McLendon	Richardson
Goodwyn	Johnson (Tallapoosa)	McNider	Roberts
Grouby	Kaul	Meeks	Solomon
Hain	Kendall	Molette	Stokes
Hall	Killough	Nettles	Taylor
Haltom	Kirkham	Nice	Thomas
Hardy	Lackey	Nolen	Vacca
Hare	Lee (Barbour)	Oakley	Ward
Harrison	Locke (Choctaw)	Payne	Windle
Harvey	Locke (Perry)		

—61

Nays:

Mr. Speaker	Edwards (Escambia)	Lee (Lawrence)	Selman
Albea	Gist	Love	Shumate
Ashworth	Gregory	Martin	Simon
Branyon	Hanby	Mathews	Speaks
Brassell	Hawkins	Mathison	Steagall
Brown (Lamar)	Hodges	Money	Stembridge
Burkhalter	Huddleston	Murphy	Summerlin
Davis	Johnson (Elmore)	Oden	Tyson
deGraffenried	Kelly	Ramey	Wood
Dement	Law	Reynolds	

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CERTIFICATE OF CLERK

The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 12:12 P. M. On July 19, 1955.

H.J.R. 43

H.J.R. 47

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

The motion of Mr. Hawkins that the House adjourn until Wednesday, July 20, 1955, at ten o'clock A.M., and that the House resolve itself into a Committee of the Whole on said day was adopted.

TWENTY-THIRD DAY

House of Representatives
Montgomery, Alabama
Wednesday, July 20, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Rex Turner, President, Alabama Christian College, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards (Escambia)	Kaul	Oden
Adams	Edwards (Jefferson)	Kelly	Payne
Albea	Faulk	Kendall	Perry
Ashworth	Ferrell	Killough	Pirkle
Bassett	Franklin	Kirkham	Pruitt
Boyd	Gilchrist	Lackey	Ramey
Bradford	Gist	Law	Reynolds
Brannan	Goodwyn	Lee (Barbour)	Richardson
Branyon	Gregory	Lee (Lawrence)	Roberts
Brassell	Grouby	Locke (Choctaw)	Selman
Broadfoot	Hain	Locke (Perry)	Simon
Brooks	Hall	McClendon	Solomon
Brown (Lamar)	Haltom	McKay	Speaks
Brown (Lee)	Hanby	McLendon	Steagall
Burkhalter	Hardy	Martin	Stembridge
Callahan	Hare	Mathews	Stokes
Cornett	Harrison	Mathison	Summerlin
Cox	Harvey	Meeks	Taylor
Crook	Hawkins	Molette	Thomas
Davis	Hodges	Money	Tyson
Dawkins	Huddleston	Nettles	Vacca
deGraffenried	Hunt	Nice	Ward
Dement	Jenkins	Nolen	Windle
DeSear	Johnson (Elmore)	Oakley	Wood
Dickson	Johnson (Tallapoosa)		

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-second legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Hanby, the reading at length of the Journal of the House for the twenty-second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the twenty-second legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 231. Relating to Mobile County: To create the Supervisory Committee of the Mobile County Personnel Board in lieu of the Citizens Supervisory Committee created by Act No. 470 of 1939, which is hereby abolished; prescribing the membership of the committee; requiring certain meetings thereof; and transferring to the Supervisory Committee of the Mobile County Personnel Board the powers, authority, duties and functions of the Citizens Supervisory Committee.

Also:

H. 606. To amend further Section 8 of an act "to create and establish in Mobile County, Alabama, a county wide Civil Service System" approved September 15, 1939 (Local Acts, 1939, page 298).

Also:

H. 510. Relating to Cleburne County: To regulate the compensation of the county superintendent of education.

Also:

H. 543. To fix and provide for the payment out of the Limestone County general fund the compensation of the coroner for Limestone County, Alabama.

Also:

H. 544. Relating to Limestone County; to authorize the board of revenue or other county governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, not to exceed three cents per acre, against forest lands in the county; to prescribe the procedure for levying and collecting such assessment; and to provide for appeals from such assessments.

Also:

H. 545. To propose an amendment to the Constitution of Alabama relating to Limestone County, authorizing the county governing body to levy and collect special taxes the proceeds of which shall be used to provide fire protection in the county.

Also:

H. 546. Relating to Limestone County: To authorize, direct and require the governing body of Limestone County to call an election in the county for the purpose of determining whether or not the county governing body may levy additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51, Code of Alabama (1940), and amendments thereto, in an amount equal to thirty-three and one-third per centum of the state levy; providing for the enforcement and collection of the tax, if imposed, and the distribution of the proceeds thereof; and prescribing the purpose for which such proceeds may be used.

Also:

H. 547. Relating to Limestone County; providing for the election and terms of office of the members and chairman of the county board of education.

Also:

H. 548. Relating to Limestone County; to authorize the board of revenue to provide fire protection throughout the county, to maintain fire stations and employ firemen, and to assess the whole or a part of the cost thereof, within a prescribed limit, against property owners in the county; prescribing the procedure for levying and collecting such assessments; and providing for appeals from such assessments.

Also:

H. 549. Relating to Limestone County; providing for the election of the chairman and members of the board of revenue of Limestone

County; and providing that the provisions of this Act shall become effective only upon a majority vote of the qualified electors of the county favoring the adoption of the provisions of the Act in the election held pursuant thereto.

Also:

H. 24. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Elmore County.

Also:

H. 410. For the relief of A. B. Richardson of Elmore County: Authorizing and empowering the court of county commissioners, board of revenue, or like governing body of Elmore County to appropriate from the Gasoline Tax Fund in the county treasury the sum of five hundred dollars (\$500.00) to compensate A. B. Richardson for injuries suffered by him while acting within the line and scope of his employment with the road and bridge department of Elmore County on March 4, 1955.

Also:

H. 411. Relating to Elmore County; providing for the reidentification of each qualified elector of Elmore County; requiring the board of registrars to purge the lists of qualified electors; and providing a penalty for willfully making a false statement in connection with reidentification.

Also:

H. 412. Relating to Elmore County; authorizing and directing the court of county commissioners of Elmore County to provide for the installation and use of voting machines throughout the county in all general, special or primary elections.

Also:

H. 413. Relating to Elmore County; changing the method of compensating certain county officers; placing such officers on a salary; and providing for their assistants, and the office space and equipment necessary for the conduct of their offices.

Also:

H. 540. Relating to that portion of Powell Avenue in the City of Birmingham lying between the west line of Thirty-second Street if projected across said Powell Avenue and the east line of Twenty-eighth Street if projected across said Powell Avenue.

Also:

H. 541. To provide for the relief of Margaret Webb, out of the general funds of Jefferson County, Alabama.

Also:

H. 559. To extend, alter and rearrange the boundary lines and corporate limits of the City of Talladega, Talladega County, Alabama.

Also:

H. 588. Relating to Tallapoosa County; fixing the compensation of the deputies to the sheriff of Tallapoosa County; and repealing conflicting laws.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 630. Relating to Marion County: To authorize and direct the county governing body to call an election for the purpose of determining whether or not additional county privilege or excise taxes shall be imposed for the purposes specified in this Act; to authorize the levying of such taxes on tobacco and certain tobacco products; to impose duties and confer powers on the county governing body, and the clerk thereof, relative to the collection of such tax; to prescribe the method or manner of evidencing the payment of the tax; to provide for the distribution of the revenues arising from the tax; to impose duties on vendors, storers and distributors of tobacco and tobacco products; and to prescribe penalties.

Also:

H. 631. Authorizing and specifying the procedure for the organization of a public corporation in Marion County, Alabama, for the purpose of acquiring, constructing, leasing, owning and operating irrigation projects, hydro-electric power producing projects, and selling water and water rights; granting certain other powers upon a corporation so created; authorizing the issuance of revenue bonds, and revenue refunding bonds, payable solely from the revenues of such projects for the purpose of paying the costs of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; providing that no bonds or other obligations of the corporation shall create a debt of the county, the State, or any political subdivision thereof; granting a corporation so created the right of eminent domain; and prescribing penalties for the violation of certain provisions of this Act.

Also:

H. 632. Relating to Marion County; to amend Section 5 of Act No. 58 adopted at the Second Special Session of the Legislature of Alabama of 1955 so as to change the method and purpose of distribution of the revenues arising from the tax levied by said act and so as to authorize the use and pledge of a portion thereof for the payment of the principal of and interest on certain securities which may be issued pursuant to law.

Also:

H. 636. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for public school purposes in Russell County; and authorizing the county and city boards of education, upon the levy of such special tax, to issue tax anticipation bonds, and to pledge the proceeds of the tax to the payment of the interest on and principal of such bonds.

Also:

H. 634. To provide for and require the Tax Collector of Mobile County to pay into the County Treasury all taxes collected by him for Mobile County or on account of salary expenses, together with all fees, commissions, interest and penalties charged and/or collected by him by reason of any official act or for the performance of any service connected directly or indirectly with his said office, without any retention, withholding or deduction therefrom of any sum or sums for the

payment of salaries of the Tax Collector and Tax Assessor of Mobile County, or for payment of the salaries of any employees or assistants of such Tax Collector and Tax Assessor; to provide how all such salaries shall hereafter be paid, when this act shall take effect and to repeal those laws or parts of laws in conflict herewith.

Also:

H. 652. To authorize and require the court of county commissioners, board of revenue, or like governing body of Wilcox County to pay the clerk hire of certain county officers out of the general fund in the county treasury.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 485. To amend Section 4 of Act No. 46, General and Local Acts 1949, page 68, approved June 2, 1949, entitled "An Act to authorize the incorporation in any county in this state of a public corporation for hospital purposes; to provide the method of effecting the incorporation of such a corporation and electing the members of its board of directors; to specify the powers of such board of directors and the powers of such corporation; to authorize the issuance by such corporation of securities and the mortgage and pledge of its properties and revenues as security therefor; to provide that securities of such corporation shall be negotiable instruments and shall be eligible for investment of trust funds; to exempt from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of such corporation; to provide for the dissolution of such corporation; and to authorize the county in which such corporation may be organized and any municipality located in such county to transfer and convey to such corporation without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes," and to amend Section 6 of said Act No. 46, General and Local Acts 1949, page 68, approved June 2, 1949, entitled as aforesaid, as amended by Act No. 57, General Acts 1955, Special Session, approved March 7, 1955, entitled "An Act to amend Section 6 of Act No. 46, S. 154, approved June 2, 1949, an act which authorizes the incorporation in any county of a public corporation for hospital purposes (1949 Acts 68)."

Also:

H. 580. To amend an Act entitled "An Act to further provide for and regulate the selection, qualification and election of the members of the Board of Education of Marengo County," approved July 8, 1935 (Act No. 183, S. 234, Local Acts of Alabama, 1935, p. 106).

Also:

H. 551. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Also:

H. 552. To amend Section 5 of Title 37, Code of Alabama (1940), which classifies incorporated municipalities as "cities" or "towns."

Also:

H. 593. Relating to Baldwin County: To provide that fees and mileage for state witnesses appearing before the grand jury or testifying in criminal cases in the Circuit Court or the County Court of Baldwin County shall be payable out of the Fine and Forfeiture Fund of said county; to provide for the transfer of all state witnesses' fees, collected by the Clerk of the Circuit Court or of the County Court of Baldwin County to the Fine and Forfeiture Fund; to provide for the registration of witnesses' scrip heretofore or hereafter issued and for the order of payment thereof.

Also:

H. 596. To authorize and provide for the establishment, maintenance, operation and financing of a public law library in Etowah County, Alabama.

Also:

H. 609. Relating to Wilcox County; regulating further the attendance of children at school; prescribing the duties of the county board of education in connection with the administration of the Act; and providing that the Act shall become effective if and when compulsory segregation of the races in the public schools of Wilcox County is invalidated by a judgment, order, or decree of a court of competent jurisdiction.

Also:

H. 19. Proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Cullman County.

Also:

H. 397. Relating to Franklin County: to levy and impose additional privilege license and excise taxes for school purposes paralleling the state sales and use taxes as prescribed in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended; to provide for the collection of such taxes by the State Department of Revenue; to provide for the distribution of the proceeds thereof; and to provide for the enforcement of this Act.

Also:

H. 600. TO AMEND Section 4 and Section 7 of Act No. 929 of the regular session of the Legislature of Alabama of 1951 approved September 12, 1951 (Acts 1951, page 1579) entitled "AN ACT to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the board of health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Also:

H. 629. Relating to Marion County: To authorize and direct the governing body of the county to call an election for the purpose of

determining whether or not additional county privilege or excise taxes shall be imposed for the purposes specified in this Act; to authorize the levying of such taxes on chewing gum, candies and other enumerated snack-bar items; to charge the county governing body with the collection and enforcement of the tax and to authorize such governing body to prescribe procedure for exempting items sold for use outside the county from the tax; to require that stamps be affixed to these items to evidence the payment of the tax; to provide for the distribution of revenues arising from the tax; and to prescribe penalties for violations of the rules and regulations prescribed by the county governing body pursuant to this Act.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 33. To authorize the Governor, the Director of Finance, and the Attorney General to become a public corporation for the purpose of acquiring land from the State or otherwise upon which it shall, at a cost not to exceed five million dollars, construct, operate and maintain, or cause to be constructed, operated and maintained, an office building or buildings, the space therein to be rented to officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to provide for the lease to and by officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States of space for occupancy in said building or buildings; and to provide that any properties of the corporation and the income therefrom and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Dawkins, the House non-concurred in the Senate amendment to the bill, H. 33, said Senate amendment being as follows:
FINANCE & TAXATION COMMITTEE SUBSTITUTE FOR HOUSE

BILL NO. 33

A BILL TO BE ENTITLED AN ACT

To authorize the Governor, the Director of Finance, and the Attorney General to become a public corporation for the purpose of

acquiring land from the State or otherwise upon which it shall, at a cost not to exceed three million dollars, construct, operate and maintain, or cause to be constructed, operated and maintained, an office building or buildings, the space therein to be rented to officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to confer on the corporation the power of eminent domain; to provide for the lease to and by officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States of space for occupancy in said building or buildings; and to provide that any properties of the corporation and the income therefrom and any securities issued and the income therefrom and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Legislative Intent. — It is the intent of the Legislature by the passage of this Act to authorize the incorporation of the Governor, the Director of Finance, and the Attorney General as a public corporation for the sole purpose of constructing, erecting, operating and maintaining, or contracting for the construction, erection, operation and maintenance of a State office building or buildings, the cost of which shall not exceed three million dollars, and to vest such corporation with all powers, authority, rights, privileges, and titles that may be necessary to enable it to accomplish such purpose, including the appropriation and pledge of funds for the use of such corporation. This Act shall be liberally construed in conformity with the purpose expressed.

Section 2. Authority to Incorporate. — The Governor, the Director of Finance, and the Attorney General may become a corporation with the powers and authority hereinafter provided, by proceeding according to the provisions of this Act.

Section 3. Proceeding to Incorporate. — To become a corporation, the Governor, the Director of Finance, and the Attorney General shall present to the Secretary of State of Alabama an application signed by them which shall set forth: (a) the names, official designations and official residences of the applicants together with a certified copy of each of the commissions evidencing their right to office; (b) the date or dates they were respectively inducted into office and the term of offices of each of the applicants; (c) the name of the proposed corporation (which shall be Alabama Building Authority if such name is available for use by the corporation, but if not available, then the applicants shall designate some other name that is available); (d) the location of the principal office of the proposed corporation; and (e) any other matter relating to the incorporation which the applicants may choose to insert and which shall not be inconsistent with this Act or the laws of the State of Alabama. The application shall be subscribed and sworn to by each of the applicants before an officer authorized by the laws

of the State of Alabama to administer oaths. The Secretary of State shall examine the application and, if he finds that the name proposed for the corporation is not identical with that of a person or other corporation in this State, or so nearly similar thereto as to lead to confusion and uncertainty, he shall receive and file it in an appropriate book of record in his office.

Section 4. Certificate of Incorporation. — When the application has been made, filed, and recorded, as herein provided, the applicants shall constitute a corporation under the name proposed in the application. The Secretary of State shall make and issue to the applicants a certificate of incorporation, pursuant to this Act, under the Great Seal of the State, and shall record the same with the application. There shall be no fees paid to the Secretary of State for any work in connection with the incorporation or dissolution of the corporation so organized (which for convenience, is hereinafter in this Act referred to as "The Corporation").

Section 5. Members, Officers and Directors of the Corporation. — The applicants named in the application and their respective successors or successors in office shall constitute the members of the corporation. The Governor shall be president of the corporation, the Director of Finance shall be treasurer, and the Attorney General shall be secretary. The said members shall constitute all the members of the Board of Directors of the corporation and any two members shall constitute a quorum for the transaction of business. Should any officer or director die or should his term of office expire or should he resign therefrom, his successor in office shall take his place as an officer and director of the corporation. No member, officer or director of the corporation shall draw any salary, in addition to that now authorized by law, for any services he may render or any duties he may perform in connection with the corporation. All proceedings had and done by the Board of Directors shall be reduced to writing by the secretary of the corporation and recorded in a well-bound book. Copies of such proceedings, when certified to by the secretary of the corporation under the seal of the corporation, shall be received in all courts as prima facie evidence of the matter and things herein certified.

Section 6. Corporate Powers. — The corporation shall have the following powers: (1) to have succession by its corporate name until dissolved as hereinafter provided; (2) to sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties; (3) to have and use a corporate seal and to alter the same at pleasure; (4) to acquire from the State of Alabama, or from others, by gift, grant, purchase, condemnation, or otherwise, and to hold title to, land in the City of Montgomery as hereinafter provided, together with all rights incidental to its estate in such property; (5) to construct or erect (under the supervision and direction of the Building Commission as hereinafter provided) operate, insure, and maintain or to contract for the operation, insurance and maintenance of the building or buildings of the corporation, together with all the rights incidental to such construction, operation, and maintenance; (6) from time to time to borrow money not exceeding in the aggregate three million dollars and from time to time to issue (and do all things incidental to the issuance of) its bonds or other evidences of indebtedness; (7) as security for the payment of the principal of and interest on any money so borrowed, to enter into any lawful covenants, to pledge the revenues from the sources herein provided for and to execute any instrument or instruments of nonforeclosable deeds of trust and mortgages upon its properties; (8) to contract, lease, and make lease agreements as hereinafter

provided including leases with any department, commission, board, or agency of the State for the use and occupation of all or any part of the office building or buildings constructed and operated by it; and, (9) after the completion of the building or buildings, to employ such employees and agents as the business of the corporation may require, subject to the Merit System, and where the services of State employees are required in addition to their regular duties, they may receive additional compensation therefor from the corporation. No contract of purchase of land, or contract for the construction or erection of a building or buildings, or for the sale of bonds, shall be made except upon the unanimous consent of the three (3) members of the Board of Directors of the corporation. No contract for the operation and maintenance of the buildings of the corporation shall be made for a longer period than the end of the biennium in which said contract is made, except contracts for insurance which shall not be for a period greater than 5 years.

Section 6 A. Power of Condemnation. — The corporation shall have the same powers of eminent domain which shall be exercised in the same manner and under the same conditions as are provided by law for the exercise of the powers of eminent domain by the State of Alabama.

Section 7. Borrowing by the Corporation. — All bonds or other evidences of indebtedness (which are collectively herein in this Act referred to as "securities") of the corporation shall be signed by its president or treasurer, and the seal of the corporation shall be impressed thereon and attested by its secretary. Any pertinent interest coupons annexed to the securities of the corporation shall be signed by the president, but a facsimile of the president's signature may be impressed on any such interest coupons in lieu of his signing the same. If any officer duly authorized thereunto, after signing any such securities or the interest coupons thereunto appertaining, manually or by facsimile, shall for any reason vacate said office, nevertheless said securities and interest coupons may be delivered any time thereafter as the act and deed of the corporation. Any securities of the corporation may be executed and delivered by it at any time in such form and denomination and of such tenor and maturities, (said maturities shall be serial but the corporation shall have discretion as to the amount to mature each year) with such provisions not inconsistent herewith, and bear such rate or rates of interest payable and evidenced in such manner as may be provided by resolution of the Board of Directors. Said securities may be redeemed at such time, in such manner and upon such notice and interest premium as may be provided in the resolution adopted by the Board of Directors under which said securities shall be issued. Said securities may be in bearer form with interest coupons or registered as to principal and interest, or may be registered as to principal only, and upon surrender and endorsement or assignment, may be exchanged for a like bearer or registered security for a reasonable fee and upon such signature guarantees and other assurances as the corporation may prudently require. Securities of the corporation must be sold only at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest net interest cost to the corporation for the securities being sold, computed to their respective maturities; provided, that if no bid acceptable to the corporation is received it may reject all bids; and provided, that no sale of such securities shall be for a price less than the equivalent of par value computed on an interest rate not to exceed four per centum per annum plus accrued interest, if any, to the date of delivery. Notice of each such sale shall be given by publication in either a financial journal or a financial newspaper published in the City of New York, New York, and also by publication in a daily newspaper published in the State

of Alabama, each of which notices must be published at least one time not less than ten days prior to the date fixed for the sale. Any securities so issued by the corporation may thereafter from time to time be refunded by the issuance and sale or exchange of refunding securities of the corporation on such terms as may be agreed on by the corporation and the holders of the securities so refunded, if such refunding is by exchange, and as may be determined by the corporation if such refunding is by sale of such refunding securities; provided, that the holders of any securities to be refunded shall not be compelled without their consent to surrender their securities for payment or exchange prior to the date on which they are payable or, if they are called for redemption, prior to the date on which they may be redeemed by the corporation under their provisions. Holders of refunding securities shall be subrogated and entitled to all priorities, rights and pledges to which the holders of securities refunded or purchased with the proceeds of refunding securities were entitled.

Section 8. Properties and Securities of the Corporation. — The properties of the corporation and the income therefrom and all lease agreements made by the corporation shall be forever exempt from any and all forms of taxation in the State of Alabama. All securities issued by the corporation shall be construed to be negotiable instruments exempt from all taxation in the State of Alabama as to principal and income. All debts assumed or created by the corporation and all securities issued by it shall be solely and exclusively an obligation of the corporation and shall not create an obligation or debt of the State of Alabama.

Section 9. Securities of the Corporation as Security for State Deposits and Investments. — Any securities issued by the corporation may be used by the holders thereof as security for deposits of any funds belonging to the State or to any instrumentality or agency of the State in any instance where security for such deposits may be required by law. Any surplus in any State fund and any retirement and/or trust fund, wherein the investment thereof is provided by law, may be invested in the securities issued by the corporation.

Section 10. Use of Proceeds from Sale of Securities. — All proceeds derived from the sale of any securities (except refunding securities) sold by the corporation shall be turned over to the State Treasurer and shall be carried by him in a special account to the credit of the corporation and shall be subject to be drawn on by the corporation solely for the purposes of constructing, erecting, and equipping an office building or buildings and all reasonable and necessary expenses incidental thereto and to the issuance of said securities, including interest which shall accrue on said securities during the construction of said building or buildings and for a period not exceeding six months thereafter. Any balance in said account shall, upon completion of the building or buildings and the payment of all costs, be transferred to the redemption and sinking fund account of the corporation, and no additional securities of the corporation shall thereafter be authorized, except refunding securities as herein authorized. The reasonable and necessary expenses incidental to the construction of any such new building shall, if deemed advisable by the corporation, include all or any part of the expense of providing adequate housing, during the construction of such new building, for any State agencies using any building or other structure which is demolished for the purpose of providing a suitable site for the construction of any such new building.

Section 11. Construction of Buildings. — The buildings shall be constructed (under plans and specifications of architects or engineers selected by the Building Commission) for the corporation under the

supervision and direction of the Building Commission of 1945 (created under Act No. 128, approved June 16, 1945), or any agency designated by the Legislature as its successor, upon award for each part of the work to the lowest responsible bidder after advertising for receipt and public opening of sealed bids, provided that in determining the lowest responsible bidder the invitations for bids and bidding documents shall be so arranged that any alternates from the base bid shall constitute cumulative deductions from the base bid and in determining the lowest bidder, if the funds are insufficient to construct the building on the lowest base bid, then the commission may proceed to consider the bids upon the basis of the base bids of all bidders minus the respective reductions stated for the first alternate, and if the lowest bid so determined is not then within the funds available, the commission shall proceed to consider the base bid minus the first and second alternates together to determine the lowest bid, and in like manner throughout all alternates, if need be, so that in no event shall there be any discretion as to which alternate or alternates will be used in determining the lowest responsible bidder. All such contracts shall be lump sum contracts. All contracts for the entire work shall be awarded at the same time but notice to proceed may be withheld until prior work under another contract has progressed to a point where the joint or following work can best be coordinated for the earliest completion of the entire project in a sound and workmanlike manner. The contract shall be executed by the corporation upon the determination of the Commission as to the lowest bidders, respectively. Payments made by the corporation under the construction contracts shall be upon the contractor's written sworn request only if endorsed as approved by the Commission or in any lesser amount the Commission shall endorse as having been then earned on said contract. The corporation and the Commission shall agree to a construction cost estimate including reimbursement to the Commission of its reasonable direct costs in having plans, specifications and contract documents prepared and in supervising and inspecting the work. After the contracts have been awarded such construction cost estimate shall be revised and all extras on the contracts shall be awarded within the funds available. Upon the effective date of this Act the Commission shall proceed with preparation of plans, specifications and bidding documents so that bids may be asked as near to ninety days after the effective date hereof as is possible.

Section 12. Conveyance to Corporation by State. — The Governor of Alabama is authorized and directed to execute and deliver immediately before or simultaneously with the issuance of the first block of the securities of the corporation an appropriate deed conveying to the corporation any land belonging to the State adjacent to, or in the vicinity of the Capitol Building block, situated in the City and County of Montgomery, Alabama.

Upon delivery of such deed to the corporation it thereby shall be invested with all rights that the State of Alabama had in the property conveyed thereby subject to the right of reverter to the State upon the dissolution of the corporation. The consideration for said conveyance shall be the corporation's undertaking to reconvey said land with improvements free of charge to the State immediately before the dissolution of the corporation. Since said land would otherwise remain unimproved, said consideration is hereby conclusively determined to be valuable, adequate and fair. Immediately prior to its dissolution the corporation shall also convey to the State any other lands acquired for construction of buildings thereon whether by purchase, gift, grant or otherwise provided the terms of the grant are not violated thereby.

Section 13. Revenues of the Corporation. — For the purpose of providing funds for the payment of the costs and expenses necessary to accomplish the purpose of this corporation and for the payment of the principal of and interest on any securities issued by the corporation under the provisions of this Act, there is hereby created and irrevocably pledged to the payment of such obligations a special and continuing trust fund which shall consist of all receipts and income from rents contracted for and received by the corporation. There is hereby created within said special and continuing trust fund a redemption and sinking fund account of said corporation in the State Treasury in which shall be placed as a trust fund and held separate and apart from all other monies of the State or of the corporation, first, any monies left over after the completion of the building and the payment of all costs in connection therewith and in connection with the issuance of the securities and, second, all excess rentals and other surplus income after the payment of all annual charges in each fiscal year, including principal and interest. Said redemption and sinking fund shall be held by the State Treasurer in trust for the corporation and the holders of its securities and may be invested only in securities which are either direct obligations of the United States of America or fully guaranteed as to principal and interest by the United States of America. Said redemption and sinking fund shall be used to pay, when due and payable, any payment of principal and interest or both on the outstanding securities of the corporation which cannot be met out of current revenues or other monies of the corporation. Said funds shall not be diverted or used for any other purpose. There is hereby created in said special and continuing trust fund an account thereof in which shall be deposited, segregated and held only the amounts reasonably estimated to be necessary for the maintenance, operation and upkeep of said buildings with all excess monies at the end of each fiscal year being transferred to the redemption and sinking fund.

Section 14. Pledge and Lien for Benefit of Securities. — In the proceedings authorizing the issuance of any of its securities, the corporation is hereby authorized and empowered to pledge for the payment of the principal and interest on such securities, as the said principal and interest shall respectively mature, and to agree to use solely for such purpose all the revenues which under the provisions of Section 13 hereof are appropriated and pledged, or authorized to be pledged, for the payment of the said principal and interest. In said proceedings the corporation may further provide and create a statutory lien as security for the payment of said principal and interest upon the buildings and properties. Such statutory lien shall not be subject to foreclosure and, in the event of default in the payment of any such principal or interest, the remedies thereunder shall be limited to a remedy by way of mandamus and to the appointment, as a matter of right, by any court having equity powers and having jurisdiction over the corporation, of a receiver in equity with all the powers of such a receiver. Upon the issuance of any securities pursuant to this Act the corporation shall file in the office of the Judge of Probate of Montgomery County, Alabama, an instrument reciting the issuance of such securities and the pledge of said revenues and the creation of said statutory lien as security therefor, and the filing of such instrument shall constitute constructive notice of said pledge and lien.

Section 15. State Treasurer to Disburse Funds. — Out of the revenues so appropriated and pledged, or authorized to be pledged in Section 13 hereof, the State Treasurer is authorized and directed to pay the principal of and interest on the securities issued and the obligations assumed by the corporation under the provisions of this Act, as such principal and interest shall respectively mature, and he is further author-

ized and directed to set up and maintain appropriate records pertaining thereto.

Section 16. Terms and Conditions of Leasing by Corporation. The corporation and the Commissioner of Revenue for the Department of Revenue, the Director of Conservation for the Department of Conservation, and the Adjutant General for the Military Department, or their successors in office or duties, are hereby authorized and directed to enter into a lease or leases for the use and occupancy of offices and storage space of said buildings. Should the space therein not be filled by such use and occupancy, then the remaining space may be leased by the corporation to any other officers, agencies, boards, commission, corporations, and bureaus of the State of Alabama and of the United States. Such other officers, agencies, boards, commissions, corporations, and bureaus are hereby separately authorized and directed to enter into lease-agreements for the use and occupancy of any remaining space in the said buildings. The corporation may also enter into leases with individuals with respect to concession space such as that for a cafeteria, lunch room, or vending machines, if it shall determine that such concession will not interfere with, but will better serve, the occupancy of said office buildings by the boards, bureaus, agencies, commissions, departments, offices and instrumentalities of the State. No free space shall be available in said building so long as the corporation's securities and interest thereon including extensions or refundings remain unpaid. Should any space become vacant in said buildings, then no officer, agency, board, bureau, commission, or other authority of the State of Alabama shall rent any further space or renew any lease for space in or about the City of Montgomery for office use or storage space until after all of the vacant space in said buildings shall have been filled: Provided, that the foregoing restrictions shall not apply to storage space only if the Directors of said corporation and the Governor agree that the space in said buildings is not suitable for the use of an agency desiring to lease other space. It is hereby covenanted that no building hereafter built shall be required to be occupied by any such State agency other than the agency for which such later constructed building is expressly built until the space in the buildings herein authorized is filled, and that whenever space in said buildings is, or about to become, vacant, uneconomic reconditioning of other office quarters will not be undertaken if leasing space in the buildings is more advantageous to the agency in question.

Such leases with any such State agency shall be in such form as not to constitute a debt of the State of Alabama and, only to the extent and only so long as now contrarily prohibited. Any such lease may contain and grant to the lessee therein successive options of renewing the said lease on the terms specified therein for any subsequent fiscal year provided that liability for the payment of the rent shall never be for a term longer than one fiscal year. Any such lease may contain appropriate provisions as to the method by which the lessee may, at its election, exercise any of the said options of renewal. Any grants received by any such agency from the federal government for the making of rental payments, to the fullest extent permitted by the conditions thereto attached, shall be held in the State Treasury in a special account to be automatically transferred, when available, to the special trust fund of the corporation. To the extent that there is any State appropriation for the rental of the space so represented by a Federal grant, said State appropriation shall lapse pro tanto for the period of rental payment represented by said Federal grant.

If at any time there is, or about to be, vacant space in the said buildings and no State agency is able to take it, then, but only in such event, in order to prevent default under its securities, the corporation

is hereby authorized to enter into leases with any county or municipal corporation or other public body including the federal government, or, if such public authorities have no need for such space, then with private persons, firms, corporations or associations for office purposes only, pursuant to and subject to such rules and regulations as to occupancy as may be adopted by the corporation. Any such lease with a public authority or with a private person, firm, corporation or association shall not be for any purpose or effect of competing with private enterprise nor for lending public credit but solely for the use and benefit of the holders of the corporation's securities to avoid default and to insure the prompt payment of principal and interest when due, and the charges made for space leased to them shall be only such as shall be sufficient to pay said principal and interest and the cost of operating, maintaining and insuring said buildings.

All such leases shall be based upon a rental rate (established by resolution of the Corporation) commensurate with the commercial rates for similar space in a building of like character in the City of Montgomery and shall take into consideration the advantages of any improvements or devices such as air conditioning. Provided, that, if any Federal grant to or for a State agency shall be conditioned upon a cessation of "shelter rent" (i. e. an amount equivalent to the prorated amortization of all principal and interest for the space occupied in relation to all tenanted space from time to time) then such cessation may be granted after, but only after, the prorated space has been proportionately fully amortized and prorated interest paid, so long as said federal condition subsists, but nevertheless a rental payment for the fair cost of operation, maintenance and repair and any other running expenses shall continue.

Rental payments by State agencies shall be due in advance on the first day of the fiscal year and shall upon being so paid entitle the agency to quiet possession and maintenance, repairs, utilities and other customary office building services, as agreed on for the remainder of said fiscal year. The rental payment for the first year or part of a year shall be due and payable when the corporation notifies the tenant agency that the space is tenantable with rent prorated for the remainder of the then current fiscal year.

Section 17. Validity of Securities. — Any resolution authorizing any securities hereunder shall contain a recital that they are issued pursuant to the provisions of this Act, which recital shall be conclusive evidence that said securities have been duly authorized pursuant to the provisions of this Act, notwithstanding the provisions of any other bond laws or any other law now in force or hereafter enacted or amended. Upon the passage of any resolution providing for the issuance of securities under the provisions of this Act, the corporation may, in its discretion, cause to be published once in each of two consecutive weeks in a newspaper published and having general circulation in the City of Montgomery, a notice in substantially the following form (the blanks being first properly filled in):

"The Alabama Building Authority (An Agency of the State of Alabama), on the.....day of....., 19....., passed a resolution providing for the issuance of..... dollars of office building securities of said corporation. Any action or proceeding questioning the validity of said resolution or said securities or the pledge made therefor, or the proceedings under which said securities and pledge were authorized, must be commenced within twenty days after the first publication of this notice.

Alabama Building Authority

By: _____
Its President'

Any action or proceeding in any court to set aside a resolution providing for the issuance of bonds under the provisions of this Act or to contest the validity of any such securities, or the validity of the pledge made therefor, to secure the same, must be commenced within twenty (20) days after the first publication of said notice. After the expiration of such period, no right of action or defense founded upon the validity of the resolution or other proceedings, if any, or of the securities, or pledge, shall be asserted, nor shall the validity of such resolution, proceedings, or securities be open to question in any court upon any ground whatever, except in an action or proceeding commenced within such period. Any such action and any action to protect or enforce any rights under the provisions of this Act shall be brought in the Circuit Court of Montgomery County, in Equity.

Section 18. Dissolution of the Corporation. — When all securities issued by the corporation and all obligations assumed by it under the provisions of this Act shall have been paid in full, the then president of the corporation shall thereupon execute and deliver in the name of and in behalf of the corporation an appropriate deed, to which the seal of the corporation shall be affixed and attested by the secretary of the corporation, whereby there shall be conveyed to the State all the buildings and other properties theretofore conveyed to the corporation. The then officers and directors of the corporation shall at such time file with the secretary of state a written statement, subscribed and sworn to by them, reciting the payment in full of all securities theretofore issued and assumed by the corporation and the execution and delivery of such deed to the State which statement shall be filed by the secretary of state and recorded with the certificate of incorporation of the corporation, whereupon the corporation shall stand dissolved.

Section 19. Severability Clause. — In the event any section, sentence, clause or provision of this Act shall be declared invalid by any court of competent jurisdiction, such action shall not affect the validity of the remaining sections, sentences, clauses, or provisions of this Act, which shall continue effective.

Section 20. Effective Date. — This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Dawkins, a Committee of Conference was requested on the disagreement of the two Houses on the Senate amendment to the bill, H. 33.

The Speaker of the House named as the Committee of Conference on the part of the House Messrs. Hawkins, Dawkins and Mathews.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 511. Relating to Colbert County: To abolish the office of county commissioner of public schools, establish and restore the office of county superintendent of education, provide for the election of a county superintendent of education, fix his term of office, prescribe his qualifications,

provide for his compensation and allowances, and define and prescribe his functions and duties; repealing Act No. 227 approved July 24, 1953, as passed at the 1953 Regular Session of the Legislature, Act No. 72, H. 2, approved April 13, 1955, and all other laws or parts of laws in conflict with this Act; providing for a referendum election by the qualified electors of Colbert County to pass upon the question of whether they favor the adoption of the provisions of this Act, and providing for the election of a county superintendent of education to fill the vacancy that will exist in the office of county superintendent of education in the event this Act is approved at such referendum, and prescribing his qualifications.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Huddleston the House concurred in and adopted the Senate amendment to the bill, H. 511, said Senate amendment being as follows:

AMENDMENT TO H. B. 511

After the words "public school system in Colbert County" in the third sentence of the third paragraph of Section 6 insert the following: "or in the veterans' training program, as provided by the Congress of the United States, in Colbert County"

Also, strike out the words "presiding judge of the circuit court of the county" at the end of the last paragraph of Section 6 and insert in lieu thereof the following words: "the judge of the law and equity court of Colbert County"

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Jenkins	Nice
Albea	Edwards (Jefferson)	Johnson (Elmore)	Nolen
Ashworth	Faulk	Johnson (Tallapoosa)	Oakley
Bassett	Ferrell	Kelly	Oden
Boyd	Franklin	Killough	Payne
Bradford	Gilchrist	Kirkham	Pruitt
Brannan	Gist	Lackey	Ramey
Branyon	Goodwyn	Law	Reynolds
Brassell	Gregory	Lee (Barbour)	Richardson
Broadfoot	Grouby	Locke (Choctaw)	Roberts
Brown (Lamar)	Hain	Locke (Perry)	Simon
Burkhalter	Hall	McClendon	Solomon
Callahan	Haltom	McKay	Speaks
Cornett	Hanby	McLendon	Steagall
Davis	Hardy	Martin	Stembridge
Dawkins	Hare	Mathison	Thomas
deGraffenried	Harrison	Meeks	Vacca
Dement	Hodges	Molette	Ward
DeSear	Huddleston	Money	Windle
Dickson	Hunt	Nettles	Wood

—80

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 54. Relative to congratulating Miss Delores Arnette, of Enterprise, on being chosen "All-American Homemaker of Tomorrow", and inviting her to appear before the Legislature.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed to notify you that, in accordance with the provisions of SJR 42, the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Skidmore and Shelton.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Roberts:

S. 248. Relating to St. Clair County; fixing the compensation of the chief deputy and other deputies in the office of the sheriff of St. Clair County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County; fixing the compensation of the chief deputy and the other deputies in the office of the sheriff of St. Clair County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The chief deputy sheriff of St. Clair County shall receive a salary of three thousand six hundred dollars (\$3,600.00) per annum. The other two deputies in the office of the sheriff of St. Clair County shall each receive a salary of three thousand dollars (\$3,000.00) per annum. The salaries of the chief deputy and the other two deputies shall be paid in equal monthly installments out of the general fund of the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

E. L. ROBERTS.

NA 6| 16 23 30 & 7| 7

STATE OF ALABAMA
ST. CLAIR COUNTY

On this 7 day of July 1955, personally appeared before me Louise G. Hullett, Notary Public, in and for the County and State aforesaid, E. R. Blair, who being duly sworn according to Law, declares that he is Publisher of the "St. Clair News-Aegis, a newspaper published in the city of Pell City, in the County of St. Clair, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in the "St. Clair News-Aegis" on the following dates: 6/16-23-30 & 7/7 '55. That a copy of said paper was furnished the.....of the Court.

Signed - E. R. BLAIR

Subscribed and sworn to before me, this 7 day of July, A. D., 1955.

LOUISE G. HULLETT,
Notary Public.

Also:

By Mr. Roberts:

S. 249. Relating to St. Clair County; authorizing and directing the court of county commissioners, board of revenue, or like county governing body of St. Clair County to provide the circuit clerk of the county an allowance for clerk hire.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

Relating to St. Clair County; authorizing and directing the court of county commissioners, board of revenue, or like county governing body of St. Clair County to provide the circuit clerk of the county an allowance for clerk hire.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners, board of revenue, or like governing body of St. Clair County is hereby authorized and directed to provide the circuit clerk of the county an allowance of one hundred and fifty (\$150.00) per month for clerk hire. The allowance herein provided shall be paid out of the general fund of the county.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

E. L. ROBERTS.

NA 6| 16 23 30 & 7| 7

STATE OF ALABAMA
ST. CLAIR COUNTY

On this 7 day of July, 1955, personally appeared before me Louise G. Hullett, Notary Public, in and for the County and State aforesaid, E. R. Blair, who being duly sworn according to Law, declares that he is Publisher of the "St. Clair News-Aegis, a newspaper published in the city of Pell City, in the County of St. Clair, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in the "St. Clair News-Aegis" on the following dates: 6/16-23-30 & 7/7 '55.

That a copy of said paper was furnished the..... of the.....
Court.

Signed—E. R. BLAIR.

Subscribed and sworn to before me, this 7 day of July, A. D., 1955

LOUISE G. HULLETT,
Notary Public.

Also:

By Mr. Leonard:

S. 250. For the relief of the widows of Dan Hubbard and H. F. Cole of Talladega County; authorizing and empowering the Court of County Commissioners, Board of Revenue or like governing body of Talladega County to appropriate out of any funds in the county treasury not otherwise appropriated the sum of two thousand dollars (\$2,000.00) for the widow of Dan Hubbard and sum of two thousand dollars (\$2,000.00) for the widow of H. F. Cole as compensation for the death of their husbands, both of whom were killed in the line of duty while serving as deputy sheriffs of Talladega County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

For the relief of the widows of Dan Hubbard and H. F. Cole of Talladega County; authorizing and empowering the court of county commissioners, board of revenue, or like governing body of Talladega County to appropriate out of any funds in the county treasury not otherwise appropriated the sum of two thousand dollars (\$2,000.00) for the widow of Dan Hubbard and the sum of two thousand dollars (\$2,000.00) for the widow of H. F. Cole as compensation for the death of their husbands, both of whom were killed in the line of duty while serving as deputy sheriffs of Talladega County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners, board of revenue, or like governing body of Talladega County is hereby authorized and empowered to appropriate out of any funds in the county treasury not otherwise appropriated the sum of two thousand dollars (\$2,000.00) for the widow of Dan Hubbard and the sum of two thousand dollars (\$2,000.00) for the widow of H. F. Cole as compensation for the death of their husbands, both of whom were killed in the line of duty while serving as deputy sheriffs of Talladega County.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.
J 9, 16, 23, 30.

THE STATE OF ALABAMA,
TALLADEGA COUNTY.

Personally appeared before me, a Notary Public in and for said County, Cecil Hornady, who being duly sworn according to law, deposes and says that he is the Editor and Publisher of the TALLADEGA NEWS a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made

in said newspaper for four weeks consecutively, to-wit, in the issues hereof dated as follows: June 9 1955, June 16 1955, June 23 1955, June 30 1955,

CECIL HORNADY,
Editor and Publisher.

Subscribed and sworn to before me this 5th day of July, 1955.

SUE S. SUMMERLIN,
Notary Public.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 248. Local Legislation No. 1.

S. 249. Local Legislation No. 1.

S. 250. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Calvin:

S. 234. To propose an amendment to the Constitution of Alabama relating to Lawrence County, and authorizing the creation of special school districts in said county, special school district taxes, the construction, improvement and equipping of school buildings in said special school districts, and the issuance of bonds therefor.

Also:

By Mr. Cooper:

S. 188. To regulate further the office of circuit solicitor of the Fourth Judicial Circuit of Alabama: Creating a solicitor's fund for the use of the circuit solicitor.

Also:

By Mr. Calvin:

S. 215. To regulate further the office of circuit solicitor of the Eighth Judicial Circuit of Alabama: Creating special funds for expenditure by the circuit solicitor in law enforcement and in the conduct of his office.

Also:

By Mr. Skidmore:

S. 272. Relating to counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic

beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 234. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

S. 188. Ways and Means.

S. 215. Ways and Means.

S. 272. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Lamberth:

S. J. R. 50. Be it resolved by the Senate, the House of Representatives concurring, that when the Senate adjourns today it adjourns to meet again on Friday, July 22, 1955, and that when the Senate adjourns on Friday, July 22, 1955, it adjourns to meet again on Tuesday, July 26, 1955, and

That when the House of Representatives adjourns on Wednesday, July 20, 1955, it adjourns to meet again on Tuesday, July 26, 1955.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The S. J. R. 50 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Branyon Chairman of the Standing Committee on Constitution and Elections reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 683 (with substitute). Proposing an amendment to the Constitution of Alabama authorizing the Legislature to levy and collect a school tax on incomes from whatever source derived within this State, fixing the rates at which the tax may be levied, and dedicating the proceeds thereof for public school purposes.

The above bill was read a second time at length as required by the Constitution.

BILLS ON THIRD READING

H. 710. Relating to counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Messrs.	Edwards (Escambia)	Johnson (Elmore)	Nolen
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Albea	Faulk	Kelly	Oden
Ashworth	Ferrell	Kendall	Payne
Bassett	Franklin	Killough	Pirkle
Boyd	Gilchrist	Kirkham	Ramey
Bradford	Gist	Lackey	Reynolds
Brannan	Goodwyn	Law	Roberts
Branyon	Gregory	Lee (Barbour)	Selman
Brassell	Grouby	Lee (Lawrence)	Simon
Broadfoot	Hain	Locke (Choctaw)	Solomon
Brooks	Hall	Locke (Perry)	Speaks
Brown (Lamar)	Haltom	McClendon	Steagall
Brown (Lee)	Hanby	McKay	Stembridge
Burkhalter	Hardy	McLendon	Stokes
Callahan	Hare	Martin	Taylor
Cornett	Harrison	Mathison	Thomas
Crook	Hawkins	Molette	Vacca
Davis	Hodges	Money	Ward
deGraffenried	Huddleston	Nettles	Windle
Dement	Hunt	Nice	Wood
DeSear	Jenkins		

—85

And the bill:

H. 730. To amend further Act No. 529, H. 977, approved September 2, 1949 (Acts of Alabama, 1949, page 827) which provided for a plumbers examining board in all counties in the State having a population of not less than 140,000 according to the last or any subsequent federal decennial census, as amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Boyd	Broadfoot	Callahan
Adams	Bradford	Brooks	Cornett
Albea	Brannan	Brown (Lamar)	Crook
Ashworth	Branyon	Brown (Lee)	Davis
Bassett	Brassell	Burkhalter	deGraffenried

Dement	Hare	Locke (Choctaw)	Ramey
DeSear	Harrison	Locke (Perry)	Reynolds
Edwards (Escambia)	Hawkins	McClendon	Roberts
Edwards (Jefferson)	Hodges	McKay	Selman
Faulk	Huddleston	McLendon	Simon
Ferrell	Hunt	Martin	Solomon
Franklin	Jenkins	Mathison	Speaks
Gilchrist	Johnson (Elmore)	Molette	Steagall
Gist	Johnson (Tallapoosa)	Money	Stembridge
Goodwyn	Kelly	Nettles	Stokes
Gregory	Kendall	Nice	Taylor
Grouby	Killough	Nolen	Thomas
Hain	Kirkham	Oakley	Vacca
Hall	Lackey	Oden	Ward
Haltom	Law	Payne	Windle
Hanby	Lee (Barbour)	Pirkle	Wood
Hardy	Lee (Lawrence)	Pruitt	

—87

And the bill:

H. 735. To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court of all counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Oakley
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Oden
Albea	Faulk	Kelly	Payne
Ashworth	Ferrell	Kendall	Pirkle
Bassett	Franklin	Killough	Pruitt
Boyd	Gilchrist	Kirkham	Ramey
Bradford	Gist	Lackey	Reynolds
Brannan	Goodwyn	Law	Roberts
Branyon	Gregory	Lee (Barbour)	Selman
Brassell	Grouby	Lee (Lawrence)	Simon
Broadfoot	Hain	Locke (Choctaw)	Solomon
Erooks	Hall	Locke (Perry)	Speaks
Brown (Lamar)	Haltom	McClendon	Steagall
Brown (Lee)	Hanby	McKay	Stembridge
Burkhalter	Hardy	McLendon	Stokes
Callahan	Hare	Martin	Taylor
Cornett	Harrison	Mathison	Thomas
Crook	Hawkins	Molette	Vacca
Davis	Hodges	Money	Ward
deGraffenried	Huddleston	Nettles	Windle
Dement	Hunt	Nice	Wood
DeSear	Jenkins	Nolen	

—87

And the bill:

H. 729. To provide the sheriff of Lowndes County, Alabama with a deputy sheriff in addition to those now provided by law; and to pre-

scribe his appointment and duties; to fix the salary of said deputy and to designate the fund out of which said salary shall be paid; and to fix the effective date of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Oakley
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Oden
Albea	Faulk	Kelly	Payne
Ashworth	Ferrell	Kendall	Pirkle
Bassett	Franklin	Killough	Pruitt
Boyd	Gilchrist	Kirkham	Ramey
Bradford	Gist	Lackey	Reynolds
Brannan	Goodwyn	Law	Roberts
Branyon	Gregory	Lee (Barbour)	Selman
Brassell	Grouby	Lee (Lawrence)	Simon
Broadfoot	Hain	Locke (Choctaw)	Solomon
Brooks	Hall	Locke (Perry)	Speaks
Brown (Lamar)	Haltom	McClendon	Steagall
Brown (Lee)	Hanby	McKay	Stembridge
Burkhalter	Hardy	McLendon	Stokes
Callahan	Hare	Martin	Taylor
Cornett	Harrison	Mathison	Thomas
Crook	Hawkins	Molette	Vacca
Davis	Hodges	Money	Ward
deGraffenried	Huddleston	Nettles	Windle
Dement	Hunt	Nice	Wood
DeSear	Jenkins	Nolen	

—87

And the bill:

H. 731. To apply in Randolph County only; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish **so taken**.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Brown (Lee)	Franklin	Hawkins
Adams	Burkhalter	Gilchrist	Hodges
Albea	Callahan	Gist	Huddleston
Ashworth	Cornett	Goodwyn	Hunt
Bassett	Crook	Gregory	Jenkins
Boyd	Davis	Grouby	Johnson (Elmore)
Bradford	deGraffenried	Hain	Johnson (Tallapoosa)
Brannan	Dement	Hall	Kelly
Branyon	DeSear	Haltom	Kendall
Brassell	Edwards (Escambia)	Hanby	Kirkham
Broadfoot	Edwards (Jefferson)	Hardy	Lackey
Brooks	Faulk	Hare	Law
Brown (Lamar)	Ferrell	Harrison	Lee (Barbour)

Lee (Lawrence)	Money	Ramey	Stembridge
Locke (Choctaw)	Nettles	Reynolds	Stokes
Locke (Perry)	Nice	Roberts	Taylor
McClendon	Nolen	Selman	Thomas
McKay	Oakley	Simon	Vacca
McLendon	Oden	Solomon	Ward
Martin	Payne	Speaks	Windle
Mathison	Pirkle	Steagall	Wood
Molette	Pruitt		

—86

And the bill:

H. 743. Relating to the operation of school buses in Winston County; providing that the county board of education shall employ no person as a school bus driver unless such person is at least 25 years of age; and requiring the county board of education to pay school bus drivers a prescribed minimum salary, and to cause heaters to be placed in the buses.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Oakley
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Oden
Albea	Faulk	Kelly	Payne
Ashworth	Ferrell	Kendall	Pirkle
Bassett	Franklin	Kirkham	Pruitt
Boyd	Gilchrist	Lackey	Ramey
Bradford	Gist	Law	Reynolds
Brannan	Goodwyn	Lee (Barbour)	Roberts
Branyon	Gregory	Lee (Lawrence)	Selman
Brassell	Grouby	Locke (Choctaw)	Simon
Broadfoot	Hain	Locke (Perry)	Solomon
Brooks	Hall	McClendon	Speaks
Brown (Lamar)	Haltom	McKay	Steagall
Brown (Lee)	Hanby	McLendon	Stembridge
Burkhalter	Hardy	Martin	Stokes
Callahan	Hare	Mathison	Taylor
Cornett	Harrison	Molette	Thomas
Crook	Hawkins	Money	Vacca
Davis	Hodges	Nettles	Ward
deGraffenried	Huddleston	Nice	Windle
Dement	Hunt	Nolen	Wood
DeSear	Jenkins		

—86

And the bill:

H. 744. Relating to certain needy children in Winston County; providing that no tuition shall be charged such children in the public schools in the county, and that such children shall be given lunch, free of charge, under the school lunch program.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Adams	Albea	Ashworth
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Bassett	Ferrell	Kelly	Oden
Boyd	Franklin	Kendall	Payne
Bradford	Gilchrist	Kirkham	Pirkle
Brannan	Gist	Lackey	Pruitt
Branyon	Goodwyn	Law	Ramey
Brassell	Gregory	Lee (Barbour)	Reynolds
Broadfoot	Grouby	Lee (Lawrence)	Roberts
Brooks	Hain	Locke (Choctaw)	Selman
Brown (Lamar)	Hall	Locke (Perry)	Simon
Brown (Lee)	Haltom	McClendon	Solomon
Burkhalter	Hanby	McKay	Speaks
Callahan	Hardy	McLendon	Steagall
Cornett	Hare	Martin	Stembridge
Crook	Harrison	Mathison	Stokes
Davis	Hawkins	Molette	Taylor
deGraffenried	Hodges	Money	Thomas
Dement	Huddleston	Nettles	Vacca
DeSear	Hunt	Nice	Ward
Edwards (Escambia)	Jenkins	Nolen	Windle
Edwards (Jefferson)	Johnson (Elmore)	Oakley	Wood
Faulk	Johnson (Tallapoosa)		

—86

And the bill:

H. 740. To Alter and Extend the Boundaries of the City of Mountain Brook.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Oden
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Payne
Albea	Faulk	Kelly	Perry
Ashworth	Ferrell	Kendall	Pirkle
Bassett	Franklin	Kirkham	Pruitt
Boyd	Gilchrist	Lackey	Ramey
Bradford	Gist	Law	Reynolds
Brannan	Goodwyn	Lee (Barbour)	Roberts
Branyon	Gregory	Lee (Lawrence)	Selman
Brassell	Grouby	Locke (Choctaw)	Simon
Broadfoot	Hain	Locke (Perry)	Solomon
Brooks	Hall	McClendon	Speaks
Brown (Lamar)	Haltom	McKay	Steagall
Brown (Lee)	Hanby	McLendon	Stembridge
Burkhalter	Hardy	Martin	Stokes
Callahan	Hare	Mathison	Taylor
Cornett	Harrison	Molette	Thomas
Crook	Hawkins	Money	Vacca
Davis	Hodges	Nettles	Ward
deGraffenried	Huddleston	Nice	Windle
Dement	Hunt	Nolen	Wood
DeSear	Jenkins	Oakley	

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And the bill:

S. 103 (with amendment). To amend Section 47 of Title 13, Code of Alabama (1940), which relates to the appointment and compensation of confidential secretaries for the Supreme Court.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

AMENDMENT BY THE HOUSE JUDICIARY COMMITTEE TO S.B. 103

Amend Section 1 of S. B. 103 to read as follows:

Section 1. Section 47 of Title 13, Code of Alabama (1940) is amended to read as follows:

"Section 47. Each associate justice of the Supreme Court and each supernumerary justice of said court while serving at the request of the Governor or Chief Justice under authority of section 32, Title 13, Code of Alabama, as amended, is hereby authorized to appoint and employ a confidential secretary, who shall serve at the pleasure of the associate justice or supernumerary justice. Such confidential secretary shall be subject to the Merit System Act only as to pay plan."

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Elmore)	Nice
Adams	Edwards (Jefferson)	Johnson (Tallapoosa)	Nolen
Albea	Faulk	Kelly	Oden
Ashworth	Ferrell	Kendall	Payne
Bassett	Franklin	Killough	Perry
Boyd	Gilchrist	Lackey	Pirkle
Bradford	Gist	Law	Pruitt
Brannan	Goodwyn	Lee (Barbour)	Ramey
Branyon	Gregory	Lee (Lawrence)	Reynolds
Brassell	Hain	Locke (Choctaw)	Richardson
Broadfoot	Hall	Locke (Perry)	Roberts
Brooks	Haltom	McClendon	Selman
Brown (Lamar)	Hanby	McKay	Simon
Brown (Lee)	Hardy	McLendon	Speaks
Burkhalter	Hare	Martin	Steagall
Callahan	Harrison	Mathews	Stembridge
Cornett	Harvey	Mathison	Stokes
Crook	Hawkins	Meeks	Taylor
Davis	Hodges	Molette	Thomas
deGraffenried	Huddleston	Money	Vacca
Dement	Jenkins		

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And said bill, S. 103, as thus amended, was read a third time at length and passed.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Brannan	Burkhalter	Dement
Adams	Branyon	Callahan	Edwards (Escambia)
Albea	Brassell	Cornett	Edwards (Jefferson)
Ashworth	Broadfoot	Crook	Faulk
Bassett	Brooks	Davis	Ferrell
Boyd	Brown (Lamar)	Dawkins	Franklin
Bradford	Brown (Lee)	deGraffenried	Gilchrist

Gist	Jenkins	Martin	Reynolds
Goodwyn	Johnson (Elmore)	Mathews	Richardson
Hain	Johnson (Tallapoosa)	Mathison	Roberts
Hall	Kelly	Meeks	Selman
Haltom	Kendall	Molette	Simon
Hanby	Killough	Money	Speaks
Hardy	Lackey	Nice	Steagall
Hare	Law	Nolen	Stembridge
Harrison	Lee (Barbour)	Payne	Stokes
Harvey	Lee (Lawrence)	Perry	Taylor
Hawkins	Locke (Choctaw)	Pirkle	Thomas
Hodges	Locke (Perry)	Pruitt	Vacca
Huddleston	McKay	Ramey	Windle
Hunt	McLendon		

—82

And the bill:

S. 102 (with substitute): To amend Section 107 of Title 13, Code of Alabama (1940), which relates to the appointment, duties, and compensation of certain employees for the Court of Appeals.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR S. B. NO. 102

A BILL TO BE ENTITLED AN ACT

To amend Section 107 of Title 13, Code of Alabama (1940), which relates to the appointment, duties, and compensation of certain employees for the Court of Appeals.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 107 of Title 13, Code of Alabama (1940), is amended to read as follows:

"Section 107. The judges of the Court of Appeals are hereby authorized to appoint and employ a clerk, an assistant clerk, and three secretaries. Such clerk shall serve as confidential assistant and such assistant clerk and secretaries shall serve as confidential secretaries in the same manner and to the same extent as other confidential assistants and confidential secretaries employed in the state service, shall perform such duties as may be required by the judges of the court, and shall be subject to the Merit System Act only as to the pay plan."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Albea	Bassett	Bradford
Adams	Ashworth	Boyd	Brannan

Branyon	Gilchrist	Johnson (Tallapoosa)	Nolen
Brassell	Gist	Kelly	Payne
Broadfoot	Goodwyn	Kendall	Perry
Brooks	Gregory	Killough	Pirkle
Brown (Lamar)	Grouby	Lackey	Pruitt
Brown (Lee)	Hain	Law	Ramey
Burkhalter	Hall	Lee (Barbour)	Reynolds
Callahan	Haltom	Lee (Lawrence)	Richardson
Cornett	Hanby	Locke (Choctaw)	Roberts
Crook	Hardy	Locke (Perry)	Selman
Dawkins	Hare	McClendon	Simon
deGraffenried	Harrison	McKay	Speaks
Dement	Harvey	McLendon	Steagall
Dickson	Hawkins	Martin	Stembridge
Edwards (Escambia)	Hodges	Mathews	Taylor
Edwards (Jefferson)	Huddleston	Mathison	Thomas
Faulk	Hunt	Molette	Vacca
Ferrell	Jenkins	Money	Ward
Franklin	Johnson (Elmore)	Nice	

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And said bill, S. 102, as thus amended, was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Dickson	Hunt	Nice
Adams	Edwards (Escambia)	Jenkins	Nolen
Albea	Edwards (Jefferson)	Johnson (Elmore)	Oden
Ashworth	Faulk	Johnson (Tallapoosa)	Payne
Bassett	Ferrell	Kelly	Perry
Boyd	Franklin	Kendall	Pirkle
Bradford	Gilchrist	Killough	Pruitt
Brannan	Gist	Lackey	Ramey
Branyon	Goodwyn	Law	Reynolds
Brassell	Gregory	Lee (Barbour)	Richardson
Broadfoot	Hain	Lee (Lawrence)	Roberts
Brooks	Hall	Locke (Choctaw)	Selman
Brown (Lamar)	Haltom	Locke (Perry)	Simon
Brown (Lee)	Hanby	McClendon	Speaks
Burkhalter	Hardy	McKay	Steagall
Callahan	Hare	McLendon	Stembridge
Cornett	Harrison	Martin	Stokes
Crook	Harvey	Mathews	Taylor
Davis	Hawkins	Mathison	Thomas
Dawkins	Hodges	Molette	Vacca
deGraffenried	Huddleston	Money	Ward
Dement			

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RECESS

On motion of Mr. Oden the House recessed until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:00 o'clock P.M. having arrived, the House reconvened.

HOUSE RESOLVES ITSELF INTO A COMMITTEE OF THE WHOLE HOUSE

Mr. Dawkins moved that the House now resolve itself into a Committee of the Whole House and reconvene immediately upon the adjournment of the Committee of the Whole House today, and the motion was adopted.

In accordance with the foregoing motion and the motion made on the last legislative day by Mr. Hawkins, the House resolved itself into a Committee of the Whole House. The Speaker of the House named Honorable Joe M. Dawkins, Representative from Montgomery County, as Chairman of the Committee of the Whole House.

The Committee of the Whole House rose. The House was called to order by the Speaker of the House. Mr. Dawkins, Chairman of the Committee of the Whole House, made the following report to the House.

REPORT OF THE COMMITTEE OF THE WHOLE HOUSE OF THE HOUSE OF REPRESENTATIVES

Mr. Speaker, the committee of the Whole House has directed me, as its Chairman, to report to the House of Representatives that the Committee of the Whole House has gone on record as favoring the Educational Appropriation Bill as set out in the Ways and Means Committee substitute for H. B. 211.

RECESS

On motion of Mr. Dawkins the House recessed for five minutes.

The House reconvened. The Speaker called the House to order.

REPORT OF RULES COMMITTEE

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report:

By Mr. Lamberth:

S. J. R. 50. Be it resolved by the Senate, the House of Representatives concurring, that when the Senate adjourns today it adjourns to meet again on Friday, July 22, 1955, and that when the Senate adjourns on Friday, July 22, 1955, it adjourns to meet again on Tuesday, July 26, 1955, and

That when the House of Representatives adjourns on Wednesday, July 20, 1955, it adjourns to meet again on Tuesday, July 26, 1955.

And S. J. R. 50 was concurred in and adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 19. Proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Cullman County.

Also:

H. 24. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Elmore County.

Also:

H. 231. Relating to Mobile County: To create the Supervisory Committee of the Mobile County Personnel Board in lieu of the Citizens Supervisory Committee created by Act No. 470 of 1939, which is hereby abolished; prescribing the membership of the committee; requiring certain meetings thereof; and transferring to the Supervisory Committee of the Mobile County Personnel Board the powers, authority, duties and functions of the Citizens Supervisory Committee.

Also:

H. 397. Relating to Franklin County: to levy and impose additional privilege license and excise taxes for school purposes paralleling the state sales and use taxes as prescribed in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended; to provide for the collection of such taxes by the State Department of Revenue; to provide for the distribution of the proceeds thereof; and to provide for the enforcement of this Act.

Also:

H. 410. For the relief of A. B. Richardson of Elmore County: Authorizing and empowering the court of county commissioners, board of revenue, or like governing body of Elmore County to appropriate from the Gasoline Tax Fund in the county treasury the sum of five hundred dollars (\$500.00) to compensate A. B. Richardson for injuries suffered by him while acting within the line and scope of his employment with the road and bridge department of Elmore County on March 4, 1955.

Also:

H. 411. •Relating to Elmore County; providing for the reidentification of each qualified elector of Elmore County; requiring the board of registrars to purge the lists of qualified electors; and providing a penalty for willfully making a false statement in connection with reidentification.

Also:

H. 412. Relating to Elmore County; authorizing and directing the court of county commissioners of Elmore County to provide for the installation and use of voting machines throughout the county in all general, special or primary elections.

Also:

H. 413. Relating to Elmore County; changing the method of compensating certain county officers; placing such officers on a salary; and providing for their assistants, and the office space and equipment necessary for the conduct of their offices.

Also:

H. 510. Relating to Cleburne County: To regulate the compensation of the county superintendent of education.

Also:

H. 511. Relating to Colbert County: To abolish the office of county commissioner of public schools, establish and restore the office of county

superintendent of education, provide for the election of a county superintendent of education, fix his term of office, prescribe his qualifications, provide for his compensation and allowances, and define and prescribe his functions and duties; repealing Act No. 227 approved July 24, 1953, as passed at the 1953 Regular Session of the Legislature, Act No. 72, H. 2, approved April 13, 1955, and all other laws or parts of laws in conflict with this Act; providing for a referendum election by the qualified electors of Colbert County to pass upon the question of whether they favor the adoption of the provisions of this Act, and providing for the election of a county superintendent of education to fill the vacancy that will exist in the office of county superintendent of education in the event this Act is approved at such referendum, and prescribing his qualifications.

Also:

H. 540. Relating to that portion of Powell Avenue in the City of Birmingham lying between the west line of Thirty-second Street if projected across said Powell Avenue and the east line of Twenty-eighth Street if projected across said Powell Avenue.

Also:

H. 541. To provide for the relief of Margaret Webb, out of the general funds of Jefferson County, Alabama.

Also:

H. 543. To fix and provide for the payment out of the Limestone County general fund the compensation of the coroner for Limestone County, Alabama.

Also:

H. 544. Relating to Limestone County; to authorize the board of revenue or other county governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, not to exceed three cents per acre, against forest lands in the county; to prescribe the procedures for levying and collecting such assessment; and to provide for appeals from such assessments.

Also:

H. 545. To propose an amendment to the Constitution of Alabama relating to Limestone County, authorizing the county governing body to levy and collect special taxes the proceeds of which shall be used to provide fire protection in the county.

Also:

H. 546. Relating to Limestone County: To authorize, direct and require the governing body of Limestone County to call an election in the county for the purpose of determining whether or not the county governing body may levy additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51, Code of Alabama (1940), and amendments thereto, in an amount equal to thirty-three and one-third per centum of the state levy; providing for the enforcement and collection of the tax, if imposed, and the distribution of the proceeds thereof; and prescribing the purpose for which such proceeds may be used.

Also:

H. 547. Relating to Limestone County; providing for the election

and terms of office of the members and chairman of the county board of education.

Also:

H. 548. Relating to Limestone County; to authorize the board of revenue to provide fire protection throughout the county, to maintain fire stations and employ firemen, and to assess the whole or a part of the cost thereof, within a prescribed limit, against property owners in the county; prescribing the procedure for levying and collecting such assessments; and providing for appeals from such assessments.

Also:

H. 549. Relating to Limestone County; providing for the election of the chairman and members of the board of revenue of Limestone County; and providing that the provisions of this Act shall become effective only upon a majority vote of the qualified electors of the county favoring the adoption of the provisions of the Act in the election held pursuant thereto.

Also:

H. 551. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Also:

H. 552. To amend Section 5 of Title 37, Code of Alabama (1940), which classifies incorporated municipalities as "cities" or "towns."

Also:

H. 559. To extend, alter and rearrange the boundary lines and corporate limits of the City of Talladega, Talladega County, Alabama.

Also:

H. 580. To amend an Act entitled "An Act to further provide for and regulate the selection, qualification and election of the members of the Board of Education of Marengo County," approved July 8, 1935 (Act No. 183, S. 234, Local Acts of Alabama, 1935, p. 106).

Also:

H. 588. Relating to Tallapoosa County; fixing the compensation of the deputies to the sheriff of Tallapoosa County; and repealing conflicting laws.

Also:

H. 593. Relating to Baldwin County: To provide that fees and mileage for state witnesses appearing before the grand jury or testifying in criminal cases in the Circuit Court or the County Court of Baldwin County shall be payable out of the Fine and Forfeiture Fund of said county; to provide for the transfer of all state witnesses' fees collected by the Clerk of the Circuit Court or of the County Court of Baldwin County to the Fine and Forfeiture Fund; to provide for the registration of witnesses' scrip heretofore or hereafter issued and for the order of payment thereof.

Also:

H. 596. To authorize and provide for the establishment, maintenance,

operation and financing of a public law library in Etowah County, Alabama.

Also:

H. 606. To amend further Section 8 of an act "to create and establish in Mobile County, Alabama, a county wide Civil Service System" approved September 15, 1939 (Local Acts, 1939, page 298).

Also:

H. 609. Relating to Wilcox County; regulating further the attendance of children at school; prescribing the duties of the county board of education in connection with the administration of the Act; and providing that the Act shall become effective if and when compulsory segregation of the races in the public schools of Wilcox County is invalidated by a judgment, order, or decree of a court of competent jurisdiction.

Also:

H. 629. Relating to Marion County: To authorize and direct the governing body of the county to call an election for the purpose of determining whether or not additional county privilege or excise taxes shall be imposed for the purposes specified in this Act; to authorize the levying of such taxes on chewing gum, candies and other enumerated snack-bar items; to charge the county governing body with the collection and enforcement of the tax and to authorize such governing body to prescribe procedure for exempting items sold for use outside the county from the tax; to require that stamps be affixed to these items to evidence the payment of the tax; to provide for the distribution of revenues arising from the tax; and to prescribe penalties for violations of the rules and regulations prescribed by the county governing body pursuant to this Act.

Also:

H. 630. Relating to Marion County: To authorize and direct the county governing body to call an election for the purpose of determining whether or not additional county privilege or excise taxes shall be imposed for the purposes specified in this Act; to authorize the levying of such taxes on tobacco and certain tobacco products; to impose duties and confer powers on the county governing body, and the clerk thereof, relative to the collection of such tax; to prescribe the method or manner of evidencing the payment of the tax; to provide for the distribution of the revenues arising from the tax; to impose duties on vendors, storers and distributors of tobacco and tobacco products; and to prescribe penalties.

Also:

H. 631. Authorizing and specifying the procedure for the organization of a public corporation in Marion County, Alabama, for the purpose of acquiring, constructing, leasing, owning and operating irrigation projects, hydro-electric power producing projects, and selling water and water rights; granting certain other powers upon a corporation so created; authorizing the issuance of revenue bonds, and revenue refunding bonds, payable solely from the revenues of such projects for the purpose of paying the costs of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; providing that no bonds or other obligations of the corporation shall create a debt of the county, the State, or any political subdivision thereof; granting a corporation so created the right of eminent domain; and prescribing penalties for the violation of certain provisions of this Act.

Also:

H. 632. Relating to Marion County; to amend Section 5 of Act No. 58 adopted at the Second Special Session of the Legislature of Alabama of 1955 so as to change the method and purpose of distribution of the revenues arising from the tax levied by said act and so as to authorize the use and pledge of a portion thereof for the payment of the principal of and interest on certain securities which may be issued pursuant to law.

Also:

H. 634. To provide for and require the Tax Collector of Mobile County to pay into the County Treasury all taxes collected by him for Mobile County or on account of salary expenses, together with all fees, commissions, interest and penalties charged and/or collected by him by reason of any official act or for the performance of any service connected directly or indirectly with his said office, without any retention, withholding or deduction therefrom of any sum or sums for the payment of salaries of the Tax Collector and Tax Assessor of Mobile County, or for payment of the salaries of any employees or assistants of such Tax Collector and Tax Assessor; to provide how all such salaries shall hereafter be paid, when this act shall take effect and to repeal those laws or parts of laws in conflict herewith.

Also:

H. 636. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for public school purposes in Russell County; and authorizing the county and city boards of education, upon the levy of such special tax, to issue tax anticipation bonds, and to pledge the proceeds of the tax to the payment of the interest on and principal of such bonds.

Also:

H. 652. To authorize and require the court of county commissioners, board of revenue, or like governing body of Wilcox County to pay the clerk hire of certain county officers out of the general fund in the county treasury.

Also:

H. 485. To amend Section 4 of Act No. 46, General and Local Acts 1949, page 68, approved June 2, 1949, entitled "An Act to authorize the incorporation in any county in this state of a public corporation for hospital purposes; to provide the method of effecting the incorporation of such a corporation and electing the members of its board of directors; to specify the powers of such board of directors and the powers of such corporation; to authorize the issuance by such corporation of securities and the mortgage and pledge of its properties and revenues as security therefor; to provide that securities of such corporation shall be negotiable instruments and shall be eligible for investment of trust funds; To exempt from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of such corporation; to provide for the dissolution of such corporation; and to authorize the county in which such corporation may be organized and any municipality located in such county to transfer and convey to such corporation without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes," and to amend Section 6 of said Act No. 46, General and Local Acts 1949, page 68, approved June 2, 1949, entitled as aforesaid, as amended by Act No. 57, General

Acts 1955, Special Session, approved March 7, 1955, entitled "An Act to amend Section 6 of Act No. 46, S. 154, approved June 2, 1949, an act which authorizes the incorporation in any county of a public corporation for hospital purposes (1949 Acts 68)."

Also:

H. 600. TO AMEND Section 4 and Section 7 of Act No. 929 of the regular session of the Legislature of Alabama of 1951 approved September 12, 1951 (Acts 1951, page 1579) entitled "AN ACT to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the board of health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Also:

H. J. R. 54. Relative to the Legislature congratulating Miss Delores Arnette for her outstanding achievement of being named "All-American Homemaker of Tomorrow."

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles to which are set out in the above and foregoing report of the Standing Committee on Rules.

ADJOURNMENT

On motion of Mr. Money the House adjourned until Tuesday, July 26, 1955, at eleven o'clock A.M.

TWENTY-FOURTH DAY

House of Representatives
Montgomery, Alabama
Friday, July 22, 1955

Pursuant to adjournment the House did not meet.

TWENTY-FIFTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, July 26, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Robert Vaughn, Assistant Pastor, First Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Edwards (Escambia)	Kelly	Oden
Adams	Edwards (Jefferson)	Kendall	Payne
Albea	Faulk	Killough	Perry
Ashworth	Ferrell	Kirkham	Pirkle
Bassett	Franklin	Lackey	Pruitt
Boyd	Gilchrist	Law	Ramey
Bradford	Gist	Lee (Barbour)	Reynolds
Brannan	Goodwyn	Lee (Lawrence)	Richardson
Branyon	Gregory	Locke (Choctaw)	Roberts
Brassell	Grouby	Locke (Perry)	Selman
Brewer	Hain	Love	Shumate
Broadfoot	Hall	McClendon	Simon
Brooks	Haltom	McKay	Solomon
Brown (Lamar)	Hanby	McLendon	Speaks
Brown (Lee)	Hardy	McNider	Steagall
Burkhalter	Harrison	Martin	Stembridge
Callahan	Harvey	Mathews	Stokes
Cornett	Hawkins	Mathison	Summerlin
Cox	Hodges	Meeks	Taylor
Crook	Holliman	Molette	Thomas
Davis	Huddleston	Money	Tyson
Dawkins	Hunt	Murphy	Vacca
deGraffenried	Jenkins	Nettles	Ward
Dement	Johnson (Elmore)	Nice	Windle
DeSear	Johnson (Tallapoosa)	Nolen	Wood
Dickson	Kaul	Oakley	

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-third legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Oden, the reading at length of the Journal of the House for the twenty-third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the twenty-third legislative day was approved.

SUPREME COURT OPINION

OFFICE OF
CLERK OF THE SUPREME COURT
STATE OF ALABAMA
MONTGOMERY

J. Render Thomas
Clerk

JULY 20, 1955

Honorable Robert T. Goodwyn, Jr.
Clerk of the House of Representatives

Legislature of Alabama
State Capitol
Montgomery, Alabama

In re: Opinion of the Justices of the Supreme Court
of Alabama in answer to House Resolution No. 51
amending House Joint Resolution No. 17 (HB-155)

Dear Mr. Goodwyn:

I herewith enclose you two copies of the Opinion of a majority of the Justices of the Supreme Court of Alabama rendered July 20, 1955, in response and answer to House Resolution No. 51 amending House Joint Resolution No. 17 by eliminating Question (4) of House Joint Resolution No. 17 and renumbering Question (5) as Question (4), Question (6) as Question (5) and Question (7) as Question (6), relative to House Bill No. 155, as the opinion appears and remains on file in this office.

Yours very truly,

J. RENDER THOMAS,
Clerk, Supreme Court.

JRT/ld
Encls: 2.

SUPREME COURT OPINION

Received, read and ordered filed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Shelton, Roberts, Allen and Flowers:

S. 35. To propose an amendment to the Constitution of Alabama relative to the authorization of additional taxes on the taxable property within each school district in each county of the State of Alabama for public school purposes.

Also:

By Messrs. Boutwell, Engelhardt, Robison, Coleman, Grisham, Bradford, Davis (Lowndes), Reeves, Cooper, Davis (Pickens), Givhan, James, Yarbrough (Autauga) and Eddins:

S. 251. Proposing amendments of Section 137, 139, 256, 258, 259, 260, 269, and 270 of the Constitution of 1901 to provide further for the operation of public schools.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read a first time at length as required by the Constitution, and referred to appropriate Standing Committees as follows:

S. 35. Constitution and Elections.

S. 251. Constitution and Elections.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 296. To declare the public policy of the State of Alabama with respect to public education; to provide for further study and analysis as a basis for general reconsideration of the efficiency of the system in promoting the progress of pupils in accordance with their aptitudes and in furtherance of social order and good will; pending such reconsideration to authorize city and county Boards of Education to provide for the continuation or establishment of units, facilities and curricula and the placement of pupils therein so as to assure the best practical educational curriculum and environment for the individual pupils consistent with the educational progress of others and the paramount function of the State's police power to assure social order, good will and the public welfare; to establish the right of parents or guardians to withdraw children from public schools under certain conditions; to provide for appeals from the decisions of such Boards of Education in certain cases; to repeal Sections 56, 93, 163, 167, 318 and 319 of Title 52 of the Code of Alabama of 1940.

Also:

H. 232. To facilitate vehicular traffic in the State by providing for the construction, operation and maintenance of turnpike projects; authorizing the incorporation of Alabama Turnpike Authority and defining its powers and duties, including the power of condemnation; authorizing the Authority to finance turnpike projects by the sale and issuance of its revenue bonds payable solely from its tolls and other revenues and the proceeds of its bonds; providing that no debt of the State shall be incurred in the exercise of any of the powers granted by this act; authorizing the Authority to make rules and regulations for the use of each turnpike project and to collect tolls and other revenues for such use; authorizing the Authority to refund any of its bonds by the issuance of its refunding bonds; authorizing the Authority to issue its notes in anticipation of the issuance of any of its bonds; exempting from taxation all bonds and notes issued by the Authority, the income therefrom, and all properties of the Authority; providing that all such bonds and notes shall constitute negotiable instruments and shall be eligible for the investment of trust funds; prescribing conditions upon which such projects shall become free of tolls; authorizing the State Highway Department, with the Governor's approval, to make a preliminary study of any turnpike project; authorizing counties, municipalities and other political subdivisions to transfer property to the Authority; conferring on the Authority certain powers with respect to public highways other than turnpike projects of the Authority and certain powers of entry upon real property for the purpose of making surveys; and prescribing certain penalties.

Also:

H. 455. To authorize and empower the Alcoholic Beverage Control Board to lease trucks, road tractors and trailers, and similar equipment when needed for the transportation of alcoholic beverages purchased, stored, or sold by it.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Metcalf, Bradford, Coleman, Leonard, Reeves, Cooper, Lamberth, Davis (Lowndes), Givhan, Flowers, Engelhardt, Newton, Eddins, Jones, Van Antwerp, Robison, Grisham, Cantrell, Allen, Dyar, Roberts, Calvin, Little, Davis (Pickens), James, Skidmore, Yarbrough (Autauga), Vann, Moses, Boutwell and Shelton:

S. 193. To provide for the issuance of distinctive motor vehicle license plates or tags to members of the National Guard and Air National Guard of Alabama upon the payment of an additional sum of \$1.00 for use by such persons upon their personally-owned, private, passenger vehicles in lieu of the standard license plate or tag now required; and for the use of such distinctive plates by the State Military Department.

Also:

By Messrs. Robison and Roberts:

S. 104. To amend section 31 of Title 13 of the 1940 Code of Alabama (relating to supernumerary justices of the supreme court).

Also:

By Mr. Newton:

S. 22. To repeal Section 555 of Title 51, Code of Alabama (1940), which levies a privilege tax on the operation of a coal mine.

Also:

By Messrs. Robison and Roberts:

S. 105. To amend section 1 of an act entitled "An Act to provide additional supernumerary judges for the state, prescribing their duties and powers, fixing their compensation and tenure of office, and making an appropriation to pay their salaries", approved July 31, 1947, being now codified as Code 1940, Title 13, Section 105(1).

Also:

By Mr. Skidmore:

S. 141. To amend Section 74 of Title 34, Code of Alabama (1940), which relates to contracts between husband and wife, and which prohibits wife from becoming surety for the husband.

Also:

By Mr. Lamberth:

S. 231. To make an appropriation of ten thousand dollars to the Military Department for the purpose of removing and preserving certain World War II selective service records.

Also:

By Messrs. Yarbrough (Randolph), Moses, Cantrell and Leonard:

S. 42. To amend further Sections 404 and 405 of Title 52, Code of Alabama 1940, as amended, which relate to the Committee on Courses of Study.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles to which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 193. Military Affairs.
- S. 104. Judiciary.
- S. 22. Ways and Means.
- S. 105. Judiciary.
- S. 141. Judiciary.
- S. 231. Military Affairs.
- S. 42. Education.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Robison:

S. J. R. 52. Be it resolved by the Senate, the House concurring, that S. B. 155 and S. B. 174 which have passed both Houses of the Legislature be designated as the Robison, Hall, Goodwin, Nolen and Dawkins bills.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Hall the rules were suspended and the House concurred in and adopted the S. J. R. 52 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate bills:

S. 102. To amend Section 107 of Title 13, Code of Alabama (1940), which relates to the appointment, duties, and compensation of certain employees for the Court of Appeals.

Also:

S. 103. To amend Section 47 of Title 13, Code of Alabama (1940), which relates to the appointment and compensation of confidential secretaries for the Supreme Court.

J. E. SPEIGHT,
Secretary.

BILLS ON SECOND READING

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 675. To amend Section 47, of Title 36, Code of Alabama 1940:

H. 734. To amend Section 184 of Title 13 of the Code of Alabama of 1940 (pertaining to Writs of Certiorari).

H. 555. To provide for the organization, regulation, continuance and dissolution of corporations not for profit; to confer and limit their powers, rights and privileges and to impose their duties, obligations and responsibilities and; to provide penalties for the unauthorized assumption of corporate powers by all persons.

Mr. Branyon Chairman of the Standing Committee on Constitution and Elections reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 480. Proposing an amendment of the Constitution of 1901 authorizing the levying of special taxes for public hospital purposes.

The above bill was read a second time at length as required by the Constitution.

H. 746. To amend Act No. 266, S. 122, approved July 22, 1949, which relates to the registration and purgation of voters.

Mr. Wood, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 684. To amend Title 36, Section 94, Code of Alabama of 1940, as amended, which relates to exemptions as to length — to provide for return trips.

Mr. Bassett, Vice-Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 745. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for educational purposes in Butler County.

The above bill was read a second time at length as required by the Constitution.

H. 754. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for educational purposes in Lee County.

The above bill was read a second time at length as required by the Constitution.

Mr. Murphy, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 756. To provide further for the government of Marshall County; to abolish the Court of County Commissioners of Marshall County and to create in lieu thereof the Board of Revenue and Control of Marshall County; to provide for the election of the members of the board

and to prescribe their qualifications, terms, and compensation; and to provide for the organization, powers, jurisdiction, and duties of the board, and the authority and duties of its individual members.

Mr. Bassett Vice-Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 759. To provide additional compensation for the county solicitor deputy circuit solicitor, or assistant circuit solicitor in all counties having a population of not less than 29,500 nor more than 30,500 inhabitants, according to the last or any subsequent federal decennial census.

H. 760. To fix the compensation of the members, other than the chairman, of the court of county commissioners, board of revenue, or like governing body, of all counties having a population of not less than 29,500 nor more than 30,500 inhabitants, according to the last or any subsequent decennial census of the United States; and to provide for the manner of payment of such compensation.

Mr. Murphy Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 755. To extend the boundary lines of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Mr. Bassett Vice-Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 761. To amend Section 1 of Senate Bill No. 396 of the Acts of the Legislature of Alabama of 1935, approved September 9, 1935, entitled, "An Act, to authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, Corporations, Co-partnerships, Companies, Agencies, Associations, and Refiners, selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county, gasoline, naptha, and other liquid motor fuels or any devices or substitutes therefor, commonly used in internal combustion engines, but not including 'kerosene oil', 'fuel oil', or 'crude oil', commonly used for lighting, heating or industrial purposes, not to exceed one cent per gallon; To authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; To make provision for the distribution of the funds derived from said privilege tax; To prohibit any incorporated city or town in said County from levying or collecting a municipal privilege tax on such motor fuels or upon the business of selling, delivering, withdrawing from storage, or keeping in storage such motor fuels, on a quantity basis; To repeal the municipal privilege, excise and/or license taxes on gasoline, Woco-pep, or any other motor fuel used by self propelled vehicles which may now be collected or levied by any incorporated city or town in said County; To provide for the use of the money derived from said privilege tax, and to provide penalties for the violation of such rules and regulations; To repeal all laws and parts of laws in conflict with this Act, and to provide when this Act shall become effective."

Mr. Murphy Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the calendar, to-wit:

S. 234. To propose an amendment to the Constitution of Alabama relating to Lawrence County, and authorizing the creation of special school districts in said county, special school district taxes, the construction, improvement and equipping of school buildings in said special school districts, and the issuance of bonds therefor.

The above bill was read a second time at length as required by the Constitution.

Mr. Bassett, Vice-Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 749. Relating to cities having a population of not less than 50,000 nor more than 100,000 inhabitants, according to the last or any subsequent federal decennial census; to authorize such municipalities to declare weeds growing upon vacant property within the corporate limits thereof to be a public nuisance and to remove them or cause them to be removed; prescribing a procedure therefor; and creating a lien upon such property for the cost of removing the weeds.

Mr. Murphy Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 248. Relating to St. Clair County; fixing the compensation of the chief deputy and the other deputies in the office of the sheriff of St. Clair County.

S. 249. Relating to St. Clair County; authorizing and directing the court of county commissioners, board of revenue, or like county governing body of St. Clair County to provide the circuit clerk of the county an allowance for clerk hire.

S. 250. For the relief of the widows of Dan Hubbard and H. F. Cole of Talladega County; authorizing and empowering the Court of County Commissioners, Board of Revenue or like governing body of Talladega County to appropriate out of any funds in the county treasury not otherwise appropriated the sum of two thousand dollars (\$2,000.00) for the widow of Dan Hubbard and sum of two thousand dollars (\$2,000.00) for the widow of H. F. Cole as compensation for the death of their husbands, both of whom were killed in the line of duty while serving as deputy sheriffs of Talladega County.

S. 272. Relating to counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Grouby (with notice and proof):

H. 763. To amend further Act No. 445, H. 858, approved September 23, 1947 (Local Acts of 1947, p. 303), which established the Court of Common Pleas of Autauga County.

Local Legislation No. 1.

Notice and Proof H. 763:

A BILL TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 445, H. 858, approved September 23, 1947 (Local Acts of 1947, p. 303), which established the Court of Common Pleas of Autauga County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 3 of Act No. 445, H. 858, approved September 23, 1947 (Local Acts of 1947, p. 303), as amended by Act No. 632, H. 1025, approved September 15, 1953 (Acts of 1953, p. 887), is amended further to read as follows:

"Section 3. The judge of said court shall be a qualified elector of the State and a resident of Autauga County, and shall reside in said county during his continuance in office. The judge need not be learned in the law; but if a person who is learned in the law is elected or appointed judge of this court, such person shall not during his term of office act as attorney in any case or matter that has previously been in or is in this court, but may practice in all other matters and all other courts."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

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PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. H. M. Doster, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on 6-30, 7-7, 7-14, and 7-21, all in the year 1955.

MRS. HARRY M. DOSTER.

Sworn to and subscribed before me July 26, 1955.

MARY ALICE BAKER,
Notary Public.

By Mr. Grouby:

H. 764. Relating to contracts; Authorizing safe deposit companies, banks and other corporations or persons engaged in the business of renting or leasing safe deposit boxes to limit by contract their liability in respect to such business.

Business and Labor.

By Mr. Hunt:

H. 765. To appropriate seven million dollars (\$7,000,000) from the Alabama Special Educational Trust Fund in the state treasury for the purpose of providing incentive awards to counties and cities which levy additional taxes for school purposes, and to prescribe the amount of said awards, the purposes for which they may be used and the manner of paying them.

Ways and Means.

By Mr. Hunt:

H. 766. To raise revenue for educational purposes; levying sales and use taxes in addition to the sales and use taxes levied by Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940); providing for the assessment, collection, and enforcement of such additional taxes, and for the distribution of the proceeds thereof; repealing conflicting laws and providing for the expiration date of the Act.

Ways and Means.

By Messrs. Callahan, deGraffenried, Speaks and Gist:

H. 767. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide additional compensation for county superintendents of education and members of county boards of education for the performance of new and additional duties imposed on them by laws relating to the placement and assignment of pupils to schools.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Speaks and Law:

H. 768. To re-divide the State into judicial circuits to create the thirty-third judicial circuit, and to provide for a judge and solicitor of the newly-created circuit.

Judiciary.

By Messrs. Pirkle, Davis, Brown (Lamar), Burkhalter, Ramey, Branyon, Windle, Oden, Lee (Lawrence), Gregory, Adams, Money, Boyd, Franklin, McKay, Payne, Stokes and Grouby:

H. 769. Providing that every person, firm, or corporation who sells or furnishes any tractor, scraper, motor vehicle, machinery or like equipment of any kind, or part thereof, or repairs thereto, the purchase price of which exceeds Twenty-Five Dollars (\$25.00), shall have a lien for the full price thereof on the vehicle; providing for the recording of such lien and for the enforcement thereof.

Constitution and Elections.

By Mr. Huddleston (with notice and proof):

H. 770. Relating to Colbert County: To authorize the coroner to appoint a clerk, whose compensation shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated.

Local Legislation No. 1.

Notice and Proof H. 770:

STATE OF ALABAMA,
COUNTY OF COLBERT.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Colbert County: To authorize the coroner to appoint a clerk, whose compensation shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The coroner of Colbert County is hereby authorized and empowered to appoint a clerk, and to fix his compensation. The compensation of such clerk shall be paid by the court of county commissioners, board of revenue, or like governing body of the county, out of any funds in the county treasury not otherwise appropriated, but shall not exceed seventy-five dollars per month.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

BERRY L. CANTRELL,
State Senator.

July 1, 8, 15, 22c

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared L. H. Baker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Standard & Times, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, 8, 15 and 22, 1955.

L. H. BAKER

Sworn to and subscribed before me this 23rd day of July, 1955.

SUE H. NATHAN,
Notary Public.

By Mr. Branyon:

H. 771. Proposing an amendment of the Constitution of Alabama, as amended, relating to the powers of municipalities in Fayette County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Branyon and Windle:

H. 772. To provide a law enforcement fund for the use of the circuit judge and circuit solicitor of the Twenty-fourth Judicial Circuit.

Ways and Means.

By Messrs. Martin and Davis:

H. 773. To amend Sections 658 and 663 of Title 2, Code of Alabama (1940), which relate to soil conservation districts.

Agriculture.

By Messrs. Ramey and Richardson:

H. 774. To make an appropriation for the restoration of the interior of the building located in Greensboro, Alabama, which formerly housed the now extinct Southern University, and to create a committee to administer the appropriation under the supervision and control of the Governor.

Ways and Means.

By Mr. Richardson:

H. 775. To amend Section 728 of Title 51, Code of Alabama (1940), as amended.

Ways and Means.

By Messrs. Gist and Money (with notice and proof):

H. 776. To designate by number the various places upon the City Council of the City of Scottsboro, Alabama, fix their terms of office and provide for their election.

Local Legislation No. 1.

Notice and Proof H. 776:

NOTICE OF A PROPOSED LOCAL ACT

Notice is hereby given of the intention to apply to the present regular session of the legislature for the passage of a local law in substance as follows:

A BILL TO BE ENTITLED AN ACT

To designate by number the various places upon the City Council of the City of Scottsboro, Alabama, fix their terms of office and provide for their election.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The places of the five Aldermen upon the City Council of the City of Scottsboro, Alabama, shall be designated by number from 1 to 5, inclusive.

Section 2. At the next general municipal election there shall be elected a Mayor and five members of the Council whose terms of office shall be as follows:

The Mayor—Four years.

Alderman No. 1—Four years.

Aldermen 2 to 5, inclusive—Two years each.

Section 3. Following the next General Municipal Election, there shall be held in said City a General Municipal Election every two years thereafter for the purpose of filling vacancies of members of the Council whose terms have expired and upon the ballots used in said elections the various places shall be designated as Place No. 1, place No. 2, etc., and each candidate at the time he announces for office shall designate in his written declaration of candidacy the number of the place he seeks.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor. 69A4

STATE OF ALABAMA JACKSON COUNTY

Before me, James M. Proctor, a Notary Public in and for said County and State, personally appeared P. W. Campbell, who, being by me first duly sworn deposes and says that he is the Editor and Publisher of the Progressive Age, a newspaper published in Scottsboro, Jackson County, Alabama, and that the foregoing notice of intention to have introduced in the Legislature of Alabama, a local bill a copy of which is set out in said notice, appeared in said Progressive Age once a week for four consecutive weeks, namely, June 9, June 16, June 23 and June 30, 1955.

P. W. CAMPBELL.

Sworn to and subscribed before me this the 1st day of July, 1955.

JAMES M. PROCTOR,
Notary Public.

By Messrs. Kaul, Perry, Edwards (Jefferson), Nice, Lackey, Meeks and Vacca (with notice and proof):

H. 777. To provide for the relief of Evelyn Louise Brewer, out of the General Funds of Jefferson County, Alabama.

Local Legislation No. 2.

Notice and Proof H. 777:

LEGAL NOTICE

Notice is hereby given of intention to apply at the regular session of the Legislature of Alabama which convened in Montgomery, Alabama, on Tuesday, May 3, 1955, for enactment of the following law.

W. D. Kendrick, President
Jefferson County Commission.

AN ACT TO PROVIDE FOR THE RELIEF OF EVELYN LOUISE BREWER, OUT OF THE GENERAL FUNDS OF JEFFERSON COUNTY, ALABAMA.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the County Commission of Jefferson County is hereby authorized to pay to Evelyn Louise Brewer, the widow of former County Highway Department employee Maurice Elton Brewer, the sum of Five Thousand (\$5,000.00) Dollars for the death of her husband,

Maurice Elton Brewer, who died on May 14, 1954, from injuries received by him in the line of duty in the ash pit at Sareyton Mines on May 12, 1954, when at said time and place he was covered with hot ashes as a consequence of an explosion. The said sum of money is to be paid to the said Evelyn Louise Brewer out of such monies as may be constitutionally available, and it shall be the duty of the County Treasurer to pay said sum out of the general fund of said County.

Section 2. This act shall become effective immediately upon its passage or approval by the Governor, or its otherwise becoming a law.

Messenger—June 25; July 2-9-16, 1955.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA

JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 25; July 2, 9, 16, 1955, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE.

Publisher.

Sworn and subscribed to on this the 16th day of July, 1955.

MYRTLE P. LITTLE,

Notary Public.

By Messrs. Vacca and Hawkins:

H. 778. To create and establish a State Coordinating Agency for the administration of the Poliomyelitis Vaccine Program, prescribing its powers and duties, and providing for the selection of its officers and employees.

Health.

By Messrs. Vacca, Gist, Money, Dement, McKay and Hanby:

H. 779. Relating to eminent domain; amending Code 1940, Title 19, Section 11, which provides for the appointment of commissioners in condemnation proceedings.

Judiciary.

By Messrs. Broadfoot and Reynolds:

H. 780. To amend Section 28 of Title 48, Code of Alabama (1940), which relates to the authority of the Public Service Commission over utilities engaged in interstate commerce not regulated under acts of Congress.

Health.

By Mr. Lee (Lawrence) (with notice and proof):

H. 781. To provide for the election of a county superintendent of education of Lawrence County; to fix his term of office; to prescribe his salary and expenses, and the manner of payment; to define his qualifications, powers, and duties; and to provide for the election of his successors in office.

Local Legislation No. 1.

Notice and Proof H. 781:

STATE OF ALABAMA,
COUNTY OF LAWRENCE.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the election of a county superintendent of education of Lawrence County; to fix his term of office; to prescribe his salary and expenses, and the manner of payment; to define his qualifications, powers, and duties; and to provide for the election of his successors in office.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There shall be elected at the general election to be held in 1956, and every four years thereafter, or at such other time as may be prescribed by general law, by the qualified electors of Lawrence County, a county superintendent of education for the county, who shall take office on the first day of July next after his election, and who shall hold office for a term of four years, or such other term as may be provided by the general laws of the State governing the term of office for county superintendents of education, and until his successor is elected and qualified. The county superintendent of education of Lawrence County shall perform such duties as are now or may hereafter be required of county superintendents of education by the general laws of the State. No person shall be eligible for political party nomination or for election to the office of county superintendent of education of Lawrence County who does not hold a certificate of administration and supervision based upon graduation with a master's degree from a standard institution in a curriculum approved for the training of elementary and high school teachers and who does not submit proof to the state superintendent of education of three years successful educational experience as teacher, principal, supervisor, or superintendent during the five years next preceding his election. However, it is not meant that these qualifications shall operate at a lower standard than is now or may hereafter be set by the State of Alabama for the appointment or election of county superintendents of education within the State.

Section 2. The county superintendent of education of Lawrence County shall devote his entire time to the operation of the public school system of the county, and he shall receive such compensation as the county board of education shall fix and prescribe, which salary shall not be less than four thousand eight hundred dollars (\$4,800) per annum nor more than six thousand dollars (\$6,000) per annum, and shall be paid in the same manner as now provided by law for the payment of salaries of county superintendents of education. In addition to the salary herein provided for, the county board of education of Lawrence County is hereby authorized and empowered to pay to the county superintendent of education the sum of one hundred dollars (\$100) per month for traveling expenses incurred by him in the performance of his duties within the county.

Section 3. All laws and parts of laws, general or local, in conflict with any of the provisions of this Act are hereby expressly repealed.

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PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, all in the year 1955.

JEANETTE LANG McKELVEY.

Sworn to and subscribed before me July 21, 1955.

ARTHUR F. SLATON,
Owner.

By Messrs. Lackey, Kaul, Perry, Edwards (Jefferson), Nice, Vacca and Meeks:

H. 782. Proposing an amendment to the Constitution of Alabama relative to the filling of vacancies in the office of judge of the circuit court in Jefferson County.

Local Legislation No. 2.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Ward and Brown (Lee):

H. 783. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special ad valorem tax for public school purposes in the City of Auburn.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Dement:

H. 784. To amend Section 261, Title 8 of the 1940 Code of Alabama pertaining to charges for administering real estate.

Ways and Means.

By Mr. Dement:

H. 785. To propose an amendment to the Constitution of Alabama, relative to the imposition of an additional county tax on taxable property in Limestone County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Fite:

H. 786. To amend further Section 344 of Title 17, Code of Alabama (1940), which relates to the certification of names of candidates by political party chairmen.

Constitution and Elections.

By Messrs. Simon, Murphy and Tyson:

H. 787. Authorizing state banks situated in counties having a population of not less than 225,000 nor more than 400,000 inhabitants according to the last or subsequent federal decennial census, to establish,

maintain and operate branch banks, branch offices, or other places of business within such county in which the principal place of business of the bank is situated, by and with the approval of the superintendent of banks.

Local Legislation No. 1.

By Messrs. Goodwyn, Nolen, Dawkins, Kendall, Summerlin, Stokes, McNider, Bradford, Hall, Boyd and Pirkle:

H. 788. To raise revenue for educational purposes: levying a special tax on incomes; providing for the enforcement and collection of the tax; and prescribing penalties.

Ways and Means.

By Messrs. Nolen and Goodwyn:

H. 789. To authorize the State Treasurer to make or to have made photographic reproductions of books, records, papers, documents and warrants required to be maintained or kept by the office of State Treasurer; to regulate the disposal of such books, records, papers, documents or warrants so photographed; to provide that such photographs shall be retained in lieu of such documents; to provide that such photographic reproductions shall have the force and effect of the document itself; and to provide for the admission as evidence of duly certified photostatic copies or other copies of the original microfilm, photostat, or other similar photographs.

Ways and Means.

By Messrs. Boyd, Stokes, Brannan, Hardy, Oakley, Nettles, Kirkham, McKay, Crook, Hain, Faulk, Windle, Hanby, Lee (Barbour), Bradford, Nolen, Kendall, Molette, Cornett, McLendon, Thomas, Killough, Vacca, Perry, Nice, Pruitt, DeSear, Harvey, Meeks, Ashworth, Summerlin, McNider, Edwards (Jefferson), Albea, Locke (Choctaw), Huddleston, Lackey, Gilchrist, Roberts, Kaul, Harrison, Haltom, deGraffenried, Holliman, Brown (Lee), Adams, Lee (Lawrence), Brewer, Pirkle, Franklin, Love, Hunt and Goodwyn:

H. 790. Regulating the procedure of the state purchasing agent and others in the purchase of personal property and contractual services for the use of any state department, institution, agency, or political subdivision making such purchases through the division of purchases and stores; creating a committee on standard specifications; and prescribing penalties.

Ways and Means.

By Messrs. Taylor, Killough, Brooks, Brannan, Love, Kendall, Summerlin, Brewer, Broadfoot, Reynolds, Holliman, Kirkham and Wood:

H. 791. To propose an amendment to the Constitution of Alabama relative to estate and inheritance taxes.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Taylor, Killough, Brooks, Brannan, Love, Kendall, Summerlin, Brewer, Broadfoot, Reynolds, Holliman, Kirkham and Wood:

H. 792. To raise revenue: Levying an inheritance tax, in addition to all other taxes now provided by law, on property which shall pass by will or by the laws regulating intestate succession, or by deed, grant, bargain, sale, or gift made in contemplation of death or made or intended to take effect in possession or enjoyment at or after the death of the grantor or donor, to any person or to any body politic or corporate, or by reason whereof any person or any body politic or corporate shall be-

come beneficially entitled in possession or expectancy to any property or to the income thereof; providing for the assessment, collection, administration and enforcement of the tax; and dedicating the proceeds thereof for educational purposes.

Ways and Means.

By Mr. Harrison:

H. 793. To amend Section 178 of Title 13, Code of Alabama 1940, providing for the reimbursement for reasonable expenses while in attendance upon courts outside of their home county of circuit judges in circuits of more than one county, and to provide the manner of payment.

Judiciary.

By Mr. McKay:

H. 794. To amend further Section 201 of Title 15, Code of Alabama (1940), which relates to qualifications to bail.

Judiciary.

By Messrs. Callahan and deGraffenried (with notice and proof):

H. 795. To alter, rearrange, and extend the boundary line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 795:

STATE OF ALABAMA
TUSCALOOSA COUNTY

Notice is hereby given that at the current session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

TO ALTER, REARRANGE, AND EXTEND THE BOUNDARY LINE OF THE CITY OF TUSCALOOSA, IN TUSCALOOSA COUNTY, ALABAMA.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the Corporate Limits of the City of Tuscaloosa, Tuscaloosa County, Alabama, be changed and extended to include the following separate territories:

PARCEL 1. Begin at a point where the Southwestern boundary of the Tuscaloosa-Birmingham highway intersects the South boundary of the Southwest quarter of the Northwest quarter of Section 21, Township 21 South, Range 9 West and run in a Westerly direction along the South boundary line of said Southwest quarter of the Northwest quarter of said Section 21 and the South boundary line of the North half of Section 20, Township 21, Range 9 West, to the Southwest corner of the Northeast quarter of Section 20, Township 21 South, Range 9 West; thence run in a Southerly direction to the Southwest corner of the Northwest quarter of the Southeast quarter of Section 20, Township 21 South, Range 9 West, thence in an Easterly direction along the South boundary line of the North half of the Southeast quarter of Section 20, Township 21 South, Range 9 West, to the Southeast corner of the Northeast quarter of the Southeast quarter of Section 20, Township 21 South, Range 9 West; thence in a Southerly direction along the Section line dividing Sections 20 and 21 to the Northwest corner of Lot 54 of Resubdi-

vision Number 2 of the M. R. Bettis Survey, a map or plat of which is of record in Plat Book 4, at page 196 in the Office of the Judge of Probate of Tuscaloosa County, Alabama; thence run in an Easterly direction along the North boundary line of Lots 54, 53, 52 and 51 in said M. R. Bettis Subdivision to the Northeast corner of said Lot 51; thence run in a Northerly direction along a prolongation of the line dividing Lots 50 and 51 in the said M. R. Bettis Subdivision a distance of 298.1 feet to a point; thence turn 83 degree 03' to the right and run in a Northeasterly direction a distance of 220.4 feet to a point on the Western margin of the old Birmingham-Tuscaloosa Highway which is 178.9 feet Northward from the concrete right-of-way marker numbered 2007-08-8; thence run along the Western margin of the old Tuscaloosa-Birmingham highway and the Southwestern margin of the new Tuscaloosa-Birmingham highway (U. S. Highway 11) to the point of beginning.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

June 8-15-22-29 - 4TC.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa, County, Alabama and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 8, June 15, June 22, and June 29, all in the year 1955.

BUFORD BOONE.

Sworn to and subscribed before me July 5, 1955.

LILLA COLLINS,
Notary Public.

By Messrs. Callahan and deGraffenried:

H. 796. To apply only in those Counties having a population of not less than 94,000 nor more than 134,000, according to the latest or any subsequent Federal Decennial Census and to provide further for the disposition of the proceeds of the sale of contraband or forfeited property and the distribution and disposition of the funds realized from such sales.

Local Legislation No. 1.

By Mr. deGraffenried:

H. 797. To amend Section 211 of Title 46 of the 1940 Code of Alabama, and to repeal Section 210 of Title 46 of the 1940 Code of Alabama, all of said sections being relative to the practice of optometry; to repeal the law which authorizes the operation of an optometric department in a store or business establishment; to amend the law regulating advertising; to provide a rule for the construction of this act; to repeal conflicting laws and to set the effective date of this act.

Judiciary.

By Messrs. Selman and Shumate:

H. 798. To apply in all counties having a population of not less than 63,500 nor more than 72,500 inhabitants, according to the last or any subsequent federal decennial census: Fixing the compensation of jury commissioners in all such counties.

Local Legislation No. 1.

By Mr. Davis:

H. 799. Proposing an amendment of the Constitution of Alabama relating to Cullman County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Oden:

H. 800. Relating to Franklin County: To repeal Act No. 5 of the General Assembly of Alabama, Session of 1869-70, approved December 9, 1879, be and the same is hereby repealed.

Local Legislation No. 1.

By Mr. Oden:

H. 801. Relating to Franklin County: To repeal Act No. 337 of the General Assembly of Alabama Session of 1869-70, approved March 3, 1870.

Local Legislation No. 1.

By Mr. Kelly (with notice and proof):

H. 802. Relating to the construction, maintenance and repair of the county roads and bridges of Winston County; providing that such roads and bridges shall be constructed, maintained and repaired by The State Highway Department and relieving the county and the officials thereof of certain duties in regard thereto; providing for the transfer by the county and its officials, to the State Highway Department of all funds, including Winston County's proportionate share of the State gasoline tax, state motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws and abolishing the Highway Board of Winston County created by Act No. 333, H. 815, September 5, 1939 (Local Acts of the 1939 Regular Session, p. 221).

Local Legislation No. 1.

Notice and Proof H. 802:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

Relating to the construction, maintenance and repair of the county roads and bridges of Winston County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials, to the State Highway Department of all funds, including Winston County's proportionate share of the State gasoline tax, state motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws;

and abolishing the Highway Board of Winston County created by Act No. 333, H. 815, September 5, 1939 (Local Acts of the 1939 Regular Session, p. 221).

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The State Highway Department shall, subject to the provisions and limitations contained in this Act, be responsible for the construction, maintenance and repair of the county roads and bridges in Winston County. The Highway Board of Winston County created by Act No. 333, H. 815, September 5, 1939 (Local Acts of the 1939 Regular Session, p. 221) is hereby abolished.

Section 2. The county governing body of Winston County shall have and exercise only the powers and functions relative to the construction, maintenance and repair of the county roads and bridges as are conferred upon it by this Act, as follows:

(a) To levy road and bridge taxes and to appropriate money for the construction, maintenance and repair of county roads and bridges in the same manner and to the same extent as it may presently do so under the laws of the State;

(b) To borrow money and issue bonds or other evidences of indebtedness, subject to the approval of the State Highway Department, for the purpose of constructing, maintaining and repairing county roads and bridges to the same extent as it may presently do so under the laws of the State;

(c) To exercise, subject to the approval of the State Highway Department, the right of eminent domain for the purpose of acquiring rights of way for the establishment and changing of county roads and bridges in the manner presently provided by law.

Section 3. The governing body of Winston County shall have no authority:

(a) To employ or discharge or regulate or control in any manner personnel for the construction, maintenance or repair of county roads and bridges;

(b) To contract for or purchase any services, supplies, equipment, machinery or materials used in the construction, maintenance or repair of county roads and bridges;

(c) To pay or order payment to any person, firm or corporation for services rendered or supplies, equipment, machinery or materials provided in the construction, maintenance or repair of county roads or bridges.

Section 4. Upon the effective date of this Act the governing body of Winston County and all officials of the county shall transfer and turn over to the State Highway Department, all funds, supplies, equipment, machinery and materials held, owned, leased or controlled by it or them for the construction, maintenance and repair of county roads and bridges. Thereafter on or before the tenth day of each month, the county treasury, the county governing body and all other county officials of Winston County shall pay over to the State Highway Department all funds collected or received as taxes, including the motor vehicle license tax allocated to the county, or otherwise by them from any source whatsoever during the preceding month which are designated or to be used for the purpose of constructing, maintaining or repairing county roads or bridges. Such funds shall be maintained

separately by the State Highway Department and shall be used by it solely for the purpose of construction, maintenance and repair of county roads and bridges in Winston County subject to the provisions of this Act.

Section 5. Persons employed by Winston County for road and bridge work who are in service on the effective date of this Act may be continued in service by the State Highway Department, in its discretion, until January 1, 1957, without regard to the State's Merit System Act or rules and regulations promulgated under its authority. All other persons employed by the department in the administration of this Act shall be employed subject to the Merit System Law, after January 1, 1957.

Section 6. After the effective date of this Act, the State Highway Department shall pay all of the outstanding financial obligations of Winston County which were incurred prior to the adoption of this Act, for the construction, maintenance or repair of county roads and bridges out of funds to be paid over to the Highway Department under the provisions of Section 4 of this Act. Nothing contained in this Act, however, shall be construed to relieve Winston County of the liability for paying any of its financial obligations now existing or hereafter incurred under the provisions of Section 2 (b) here of in the event the funds paid over to the State Highway Department are insufficient to do so, or to require any of the financial obligations presently existing or hereafter incurred under the provisions of Section 2 (b) hereof of the county to be paid from funds of the Highway Department.

Section 7. The State Highway Department shall construct, maintain and repair the county roads and bridges of Winston County from the funds paid over to it pursuant to Section 4 of this Act, and from funds which would otherwise accrue to Winston County for road and bridge work from any source whatsoever. The State Highway Department shall retain, and the appropriate state officials are authorized to pay over to it, any funds or amounts to which Winston County shall be entitled to from the proceeds of the state gasoline tax, the motor vehicle license tax allocated to the county, or any other state tax, and such sums and amounts shall be used in addition to the sums and amounts turned over to the State Highway Department under the provisions of Section 4 of this Act for the construction, maintenance and repair of county roads and bridges in said county. The gasoline tax money, and the proceeds of any other tax to which Winston County is entitled, received by the State Highway Department for road work in Winston County shall be kept in the separate account referred to in Section 4 of this Act.

Section 8. Any contract for the construction, maintenance and repair of county roads and bridges entered into by Winston County prior to the adoption of this Act, shall remain in full force and effect until the terms thereof have been complied with.

Section 9. At the time the governing body of the county transfers to the Department county-owned road equipment, machinery and supplies, under the provisions of this Act, an inventory thereof shall be made, a copy to be kept on file by the County and by the department, and in the event this Act is repealed or becomes inoperative, the department shall return to the County road equipment, machinery, and supplies of like kind and equal value.

Section 10. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 11. The provisions of this Act are hereby declared to be severable in nature and should any Section or other portion thereof

be declared unconstitutional or invalid such adjudication shall not affect the portion or portions of said Act remaining.

Section 12. This Act to become effective upon its passage and approval by the Governor or its otherwise becoming a law.

SHB - 5-17-24-31-6-7

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Haleyville Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 17th day of May, 1955, and the last copy of said publication appearing in the said paper on the 7th day of June, 1955.

JAY THORNTON.

Sworn and subscribed to before me this 14th day of July, 1955.

R. J. THORNTON,
Notary Public.

By Messrs. Franklin, Johnson (Tallapoosa) and Adams:

H. 803. To amend further Section 15 of Title 30, Code of Alabama (1940), as amended, which relates to the remuneration of the clerk of the jury commission.

Ways and Means.

By Messrs. Meeks and Nice:

H. 804. To amend Section 12 Title 51 Code of Alabama 1940 relating to Young Men's Christian Associations.

Ways and Means.

By Messrs. Davis, Hawkins and Kaul:

H. 805. To amend Section 3 of Act No. 169, General Acts of Alabama 1945 (General Acts 1945, page 286, Section 3, effective August 22, 1945), and said Act as amended, by providing under Sub-Section (1) of said Section that the measure of the tax on pine lumber shall be twenty cents per thousand feet board measure lumber tally, and that the measure of the tax on hardwoods and other species of lumber described in Sub-Section (2) of said Section shall be eight cents per thousand feet board measure lumber tally, and that Sub-Sections (7) and (8) shall be amended to provide that the levy in each instance shall be on invoice value at the loading out point and that such levy shall be based on the amount paid at the stump.

Ways and Means.

By Mr. Harrison:

H. 806. To amend further Section 380 of Title 13, Code of Alabama (1940), which relates to the appointment and compensation of clerks of juvenile courts in certain counties.

Judiciary.

By Messrs. Tyson, Hare, Hodges, Albea, Hain and Roberts:

H. 807. To amend Section 65 of Title 9, Code of Alabama (1940), providing for the recovery back of usurious interest paid.

Judiciary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 296. To declare the public policy of the State of Alabama with respect to public education; to provide for further study and analysis as a basis for general reconsideration of the efficiency of the system in promoting the progress of pupils in accordance with their aptitudes and in furtherance of social order and good will; pending such reconsideration to authorize city and county Boards of Education to provide for the continuation or establishment of units, facilities and curricula and the placement of pupils therein so as to assure the best practical educational curriculum and environment for the individual pupils consistent with the educational progress of others and the paramount function of the State's police power to assure social order, good will and the public welfare; to establish the right of parents or guardians to withdraw children from public schools under certain conditions; to provide for appeals from the decisions of such Boards of Education in certain cases; to repeal Sections 56, 93, 163, 167, 318 and 319 of Title 52 of the Code of Alabama of 1940.

Also:

H. 455. To authorize and empower the Alcoholic Beverage Control Board to lease trucks, road tractors and trailers, and similar equipment when needed for the transportation of alcoholic beverages purchased, stored, or sold by it.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Messrs. Stokes and Nice:

H. J. R. 55. Resolved by the House, the Senate concurring, That the Clerk of the House is hereby authorized and directed to set aside, decorate, furnish, and equip Room 330 in the Capitol as a place of meditation and prayer for members and officers of the Legislature, and for such purpose he may spend a sum not exceeding two thousand dollars of any funds appropriated for the use of the Legislature.

The motion of Mr. Stokes to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 55 was lost.

And said resolution, H. J. R. 55, was referred to the Standing Committee on Rules.

CONFERENCE COMMITTEE REPORT ON H. B. 30

Speaker of the House

President of the Senate

We, your Conference Committee appointed on the disagreement of the two Houses on the Senate amendment to H. B. 30, beg leave to report as follows:

1. We recommend that the Senate amendment to said bill be further amended by adding at the end of said Senate amendment the following paragraph.

"The Superintendent of Banks may also be removed from office, without cause, upon the written order of four appointed members of the Banking Board and the Governor."

2. We further recommend that the House and Senate concur in the Senate amendment to H. B. 30 as amended by Section 1 of this report.

Respectfully submitted,
GEORGE C. HAWKINS
W. J. LEE, JR.
J. A. CROOK

Committee on part of the House
DAVE L. YARBROUGH
GEORGE E. LITTLE
JAS. S. COLEMAN, JR.
 Committee on part of the Senate

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Dawkins, the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 30, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	DeSear	Johnson (Tallapoosa)	Oden
Adams	Dickson	Kelly	Payne
Albea	Edwards (Escambia)	Kendall	Pirkle
Bassett	Edwards (Jefferson)	Killough	Pruitt
Boyd	Ferrell	Kirkham	Ramey
Bradford	Franklin	Law	Reynolds
Brannan	Gilchrist	Lee (Barbour)	Selman
Branyon	Gist	Lee (Lawrence)	Shumate
Brewer	Gregory	Locke (Choctaw)	Simon
Broadfoot	Grouby	Locke (Perry)	Solomon
Brooks	Hain	McClendon	Speaks
Brown (Lamar)	Hall	McKay	Steagall
Brown (Lee)	Haltom	Martin	Stembridge
Burkhalter	Hanby	Mathews	Stokes
Callahan	Hardy	Mathison	Summerlin
Cornett	Harrison	Money	Taylor
Cox	Hodges	Murphy	Thomas
Crook	Holliman	Nettles	Tyson
Dawkins	Huddleston	Nolen	Ward
deGraffenried	Hunt	Oakley	Wood
Dement	Jenkins		

And said bill:

H. 30. Relating to state government administration; creating a State Banking Department, and defining its powers and duties; transferring to the department the administration of the laws relating to banks and banking, credit unions, savings and loan associations, and the small-loan business; transferring to the department the bureau of banking, the bureau of savings and loan, and the bureau of loans of the department of commerce, and the personnel, funds, equipment, and supplies of such bureaus; providing for a Superintendent of Banks and Savings and Loan Commissioner as head of the State Banking Department; prescribing his salary, qualifications, and duties; and abolishing the Department of Commerce and the office of Director of Commerce.

As amended by the Report of the Committee of Conference, was again read at length and passed.

Yeas 84; Nays 1.

Yeas:

Mr. Speaker	DeSear	Johnson (Elmore)	Nolen
Adams	Dickson	Johnson (Tallapoosa)	Oakley
Albea	Edwards (Escambia)	Kelly	Oden
Ashworth	Ferrell	Kendall	Payne
Bassett	Franklin	Killough	Pruitt
Boyd	Gist	Kirkham	Ramey
Bradford	Goodwyn	Lackey	Roberts
Brannan	Gregory	Law	Selman
Branyon	Grouby	Lee (Barbour)	Shumate
Brewer	Hain	Lee (Lawrence)	Simon
Broadfoot	Hall	Locke (Choctaw)	Solomon
Brooks	Haltom	Locke (Perry)	Speaks
Brown (Lamar)	Hanby	McClendon	Steagall
Brown (Lee)	Hardy	McKay	Stokes
Burkhalter	Harrison	McLendon	Summerlin
Callahan	Harvey	McNider	Taylor
Cornett	Hodges	Mathison	Thomas
Cox	Holliman	Molette	Tyson
Crook	Huddleston	Money	Ward
deGraffenried	Hunt	Murphy	Windle
Dement	Jenkins	Nettles	Wood

—84

Nays: Mr. Dawkins.

—1

MOTION IN WRITING

Mr. Dawkins offered the following Motion in Writing:

Having voted with the prevailing side when the House non-concurred and requested a Committee of Conference on the Senate amendment to the bill, H. 33, I now move that the vote by which the House non-concurred and requested a Committee of Conference be reconsidered.

And the motion was adopted.

On motion of Mr. Dawkins, further consideration of the Senate amendment to the bill, H. 33, was postponed.

NOTICE IN WRITING

Mr. Roberts offered the following Notice in Writing:

Notice is hereby given pursuant to Rule 42 that on the next legislative day a motion will be made to direct the House Committee on Public Welfare to act on H. B. 605, which has been referred to that committee, and to report the bill to the House at its next sitting.

NOTICE IN WRITING BY MR. ROBERTS

Received, read and ordered filed.

RECESS

On motion of Mr. Grouby the House recessed until 2:30 o'clock this afternoon.

AFTERNOON SESSION

The hour of 2:30 o'clock P. M. having arrived, the House reconvened.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 102. To amend Section 107 of Title 13, Code of Alabama (1940), which relates to the appointment, duties, and compensation of certain employees for the Court of Appeals.

Also:

S. 103. To amend Section 47 of Title 13, Code of Alabama (1940), which relates to the appointment and compensation of confidential secretaries for the Supreme Court.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles to which are set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING

H. 725. Applying to each county in this state which is now levying or may hereafter levy a special annual ad valorem tax the proceeds from which are or may be required to be used exclusively as a sanitary fund; authorizing each such county from time to time to sell and issue in addition to all other securities which it may now or hereafter be authorized to issue, general obligation interest bearing warrants or certificates of indebtedness of such county for the purpose of acquiring, providing, constructing, enlarging, or extending a sanitary sewer system or systems, or any part or parts thereof; authorizing the issuance of refunding warrants and refunding certificates of indebtedness for the purpose of retiring any such warrants and certificates of indebtedness; authorizing the pledge and use, for payment of the principal of and interest on such warrants and certificates of indebtedness, of so much as may be necessary for such purpose of the proceeds from such tax, and specifying the effect and priority of any such pledge; and providing that such warrants and certificates of indebtedness shall be eligible for the investment of trust funds.

Was taken up.

Mr. Meeks offered the following amendment to the bill, H. 725:

AMENDMENT TO HOUSE BILL NO. 725

Amend Section 2 of House Bill No. 725 by striking the words "may have such maturity or maturities not exceeding thirty years from their date", where said words appear together in said Section 2 and inserting in lieu thereof the following words, "may have such maturity or maturities not exceeding twenty years from their date."

And the amendment was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Edwards (Jefferson)	Kelly	Oden
Adams	Ferrell	Kendall	Payne
Albea	Franklin	Killough	Pirkle
Ashworth	Gilchrist	Lackey	Pruitt
Bassett	Gist	Lee (Barbour)	Ramey
Bradford	Goodwyn	Lee (Lawrence)	Reynolds
Brannan	Gregory	Locke (Perry)	Richardson
Branyon	Grouby	Love	Roberts
Brassell	Hain	McClendon	Selman
Brewer	Hall	McKay	Simon
Broadfoot	Haltom	McLendon	Solomon
Brown (Lamar)	Hanby	McNider	Speaks
Burkhalter	Hardy	Martin	Steagall
Callahan	Harrison	Mathews	Stembridge
Cornett	Harvey	Mathison	Stokes
Cox	Hodges	Meeks	Taylor
Crook	Holliman	Molette	Thomas
Davis	Huddleston	Murphy	Tyson
deGraffenried	Hunt	Nettles	Vacca
Dement	Jenkins	Nice	Ward
DeSear	Johnson (Elmore)	Nolen	Windle
Dickson	Johnson (Tallapoosa)	Oakley	Wood
Edwards (Escambia)			

—89

And said bill, H. 725, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Brown (Lamar)	Edwards (Escambia)	Hanby
Adams	Burkhalter	Edwards (Jefferson)	Hardy
Albea	Callahan	Ferrell	Harvey
Ashworth	Cornett	Franklin	Hodges
Bassett	Cox	Gilchrist	Holliman
Boyd	Crook	Gist	Huddleston
Bradford	Davis	Goodwyn	Hunt
Brannan	Dawkins	Gregory	Jenkins
Branyon	deGraffenried	Grouby	Johnson (Elmore)
Brassell	Dement	Hain	Johnson (Tallapoosa)
Brewer	DeSear	Hall	Kaul
Broadfoot	Dickson	Haltom	Kendall

Killough	Mathews	Payne	Speaks
Lackey	Mathison	Pirkle	Steagall
Lee (Barbour)	Meeks	Pruitt	Stembridge
Lee (Lawrence)	Molette	Ramey	Stokes
Locke (Perry)	Murphy	Reynolds	Taylor
Love	Nettles	Richardson	Thomas
McClendon	Nice	Roberts	Vacca
McKay	Nolen	Selman	Ward
McLendon	Oakley	Simon	Windle
McNider	Oden	Solomon	Wood
Martin			

—89

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 232. To facilitate vehicular traffic in the State by providing for the construction, operation and maintenance of turnpike projects; authorizing the incorporation of Alabama Turnpike Authority and defining its powers and duties, including the power of condemnation; authorizing the Authority to finance turnpike projects by the sale and issuance of its revenue bonds payable solely from its tolls and other revenues and the proceeds of its bonds; providing that no debt of the State shall be incurred in the exercise of any of the powers granted by this act; authorizing the Authority to make rules and regulations for the use of each turnpike project and to collect tolls and other revenues for such use; authorizing the Authority to refund any of its bonds by the issuance of its refunding bonds; authorizing the Authority to issue its notes in anticipation of the issuance of any of its bonds; exempting from taxation all bonds and notes issued by the Authority, the income therefrom, and all properties of the Authority; providing that all such bonds and notes shall constitute negotiable instruments and shall be eligible for the investment of trust funds; prescribing conditions upon which such projects shall become free of tolls; authorizing the State Highway Department, with the Governor's approval, to make a preliminary study of any turnpike project; authorizing counties, municipalities and other political subdivisions to transfer property to the Authority; conferring on the Authority certain powers with respect to public highways other than turnpike projects of the Authority and certain powers of entry upon real property for the purpose of making surveys; and prescribing certain penalties.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

H. 587 (with substitute). To provide for the affixing of tobacco tax stamps on tobacco products, where it would be in the best interest

of the state, by contract or contracts to be made by the Commissioner of Revenue for such purpose, and to also provide that in cases where such contracts are made that the discount provided for in Section 728 of Title 51, Code of Alabama 1940, as amended, shall not apply; but in lieu thereof the Commissioner of Revenue may allow on such contracts a discount on the purchase of such stamps at a rate not to exceed ten per cent of the face value of the tobacco tax stamps purchased.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

WAYS AND MEANS COMMITTEE SUBSTITUTE FOR H. B. 587

A BILL
AN ACT
TO BE ENTITLED

To authorize the Commissioner of Revenue, with the concurrence of the Governor, for the purpose of effecting a saving to the State in the cost of collection, to adopt, institute and order the use of alternate methods or means of evidencing the payment of the taxes levied by Subdivision 1, Article 9, Title 51, Code of Alabama (1940), as amended, on tobacco and tobacco products; to promulgate rules and regulations and to enter into contracts or other arrangements to effectuate the provisions of this Act; and specifically authorizing the Commissioner of Revenue to make studies of methods or means of evidencing the payment of this tax prior to adopting any such alternate methods or means of evidencing the payment of the tax.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any provisions of law to the contrary notwithstanding, the Commissioner of Revenue may, in his discretion, and with the concurrence of the Governor, determine that the payment of the tax levied upon tobacco and tobacco products by the provisions of Subdivision 1, Article 9, Title 51, Code of Alabama (1940), as amended, shall be evidenced by the impressing or printing on the boxes, packages, tins or other containers in which tobacco or tobacco products are customarily sold at retail, by means of mechanical, electrical or other device, of metered indicia or marks of distinctive character, or by other means or methods than by the affixing of stamps as provided for by the provisions of Subdivision 1, Article 9, Title 51, Code of Alabama (1940), as amended.

Section 2. In pursuance of the authority granted to him under and by Section 1 of this Act, the Commissioner of Revenue may make or cause to be made a study or studies to determine what means or methods of evidencing the payment of the tax levied on tobacco and tobacco products by the provisions of Subdivision 1, Article 9, Title 51, Code of Alabama (1940), as amended, is the best, safest, most economical and to the best interest of the State of Alabama; and, upon making such determination, the Commissioner of Revenue may, in his discretion, and with the concurrence of the Governor, promulgate, put into effect and enforce such rules and regulations, not inconsistent with the provisions of this Act or with the provisions of any other law, as he shall deem to be reasonably necessary or convenient in carrying out the provisions of this Act, which rules and regulations shall, until set aside or abolished by proper action of any court of competent jurisdiction, have the force and effect of law; and the Commissioner of Revenue may, in his discretion, and with the concurrence of the Governor, enter, in the

name of the State of Alabama, into contracts and agreements with any persons, firms or corporations, or make any other arrangements, as may be necessary or convenient in performing the function or functions of affixing stamps or otherwise evidencing the payment of said tax on tobacco or tobacco products by such means or methods as might be determined upon by the Commissioner of Revenue hereunder.

Section 3. It is the intent and purpose of this Act to authorize the use of alternate means or methods of evidencing the payment of the tax levied on tobacco or tobacco products by the provisions of Subdivision 1, Article 9, Title 51, Code of Alabama (1940), as amended, in order to make possible a saving to the State of Alabama in the cost to the State of the method of evidencing such payment of tax presently provided by law; and in the event the Commissioner of Revenue, under the authority of this Act, shall determine that any alternate method or methods of evidencing such payment of tax will be best, safest, most economical and to the best interest of the State of Alabama, he shall, in putting such alternate method or methods to use, make every reasonable effort to keep the cost of such alternate method or methods at a minimum, but in no event shall such cost of any alternate method or methods exceed seven and one-half per cent (7½%) of the gross tax due or paid to the State on the tobacco or tobacco products affected by such alternate method or methods of evidencing payment of such tax. Nothing herein contained shall be construed to prohibit the Commissioner of Revenue, at his discretion, and with the concurrence of the Governor, from employing different methods of evidencing such payment of tax on different types and kinds of boxes, packages, tins or containers, but he may, in his discretion, and with the concurrence of the Governor, from employing different methods of evidencing such payment of tax on different types and kinds of boxes, packages, tins, or containers, but he may, in his discretion, and with the concurrence of the Governor, employ and use one or more such methods wheresoever he determines that such course of action will best safeguard the interests of and result in a financial saving to the State of Alabama.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective the first day of the month following its passage and approval, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Callahan	Goodwyn	Johnson (Elmore)
Adams	Cornett	Gregory	Johnson (Tallapoosa)
Albea	Cox	Grouby	Kelly
Ashworth	Crook	Hain	Kendall
Bassett	Davis	Hall	Killough
Boyd	Dawkins	Haltom	Lackey
Bradford	DeGraffenried	Hanby	Lee (Barbour)
Brannan	Dement	Hardy	Lee (Lawrence)
Branyon	DeSear	Harrison	Locke (Choctaw)
Brassell	Dickson	Harvey	Locke (Perry)
Brewer	Edwards (Escambia)	Hawkins	Love
Broadfoot	Edwards (Jefferson)	Hodges	McClendon
Brooks	Ferrell	Holliman	McKay
Brown (Lamar)	Franklin	Huddleston	McLendon
Brown (Lee)	Gilchrist	Hunt	McNider
Burkhalter	Gist	Jenkins	Martin

Mathews	Oden	Selman	Stokes
Mathison	Payne	Shumate	Taylor
Meeks	Pirkle	Simon	Thomas
Molette	Pruitt	Solomon	Tyson
Money	Ramey	Speaks	Ward
Murphy	Reynolds	Steagall	Windle
Nolen	Roberts	Stembridge	Wood

—92

Mr. Richardson offered the following substitute for the bill, H. 587, as amended:

SUBSTITUTE FOR H. B. 587

A BILL TO BE ENTITLED AN ACT

To amend Section 728 of Title 51, Code of Alabama (1940), as amended.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Discounts allowed for handling stamps; when bond furnished stamps may be consigned.— The department of revenue is hereby authorized and directed to have prepared and distributed stamps suitable for denoting the tax on all articles enumerated herein. Any person, firm, corporation, or association of persons, other than the department of revenue, who sells tobacco tax stamps, not affixed to tobacco sold and delivered by them, whether the said stamps be genuine or counterfeit, shall be guilty of a felony and punishable as set out in Section 734 of this title. When wholesalers or jobbers have qualified as such with the department of revenue as provided in Section 730 of this title, and desire to purchase stamps as prescribed herein for use on taxable tobaccos sold and delivered by them, the department of revenue shall allow on such sales of tobacco tax stamps, the following discounts: On a sale of one hundred dollars or over and less than two hundred dollars, a discount of three percent on the entire amount of the sale; on a sale of two hundred dollars or more, a discount of seven and one-half percent on the entire amount of the sale: Provided, that where wholesalers or jobbers are entitled to purchase stamps at a discount of seven and one half percent, as herein provided, instead of the department of revenue selling said stamps to such jobbers or wholesalers for cash, it may consign such stamps. if and when such wholesaler or jobber shall give to the department of revenue a good and sufficient bond executed by some surety company authorized to do business in this state, conditioned to secure the payment for the stamps so consigned when and as they are used on manufactured tobacco products by such wholesaler or jobber. Every wholesaler or jobber purchasing stamps on consignment as described herein, shall be required to make a full and complete accounting and remittance on or before the twentieth of each month for all stamps used on taxable tobaccos during the preceding month. Every wholesaler or jobber refusing for failing to comply with this section shall forfeit the commission or discount on stamps used which he failed or refused to account or remit for in the time allowed, and in addition shall be charged interest on such delinquent amount for each day delinquent at the rate of eight percent per annum.

POINT OF ORDER

The point of order raised by Mr. Dawkins that the substitute offered by Mr. Richardson was not germane to the bill, H. 587, was sustained by the Chair.

MOTION LOST

The motion of Mr. Richardson to postpone further consideration of the bill, H. 587, as amended, until the next legislative day, was lost.

Yeas 33; Nays 63.

Yeas:

Messrs.	Harrison	McKay	Perry
Ashworth	Holliman	Martin	Richardson
Brannan	Hunt	Meeks	Solomon
Brooks	Jenkins	Molette	Steagall
Edwards (Jefferson)	Kaul	Nettles	Stembridge
Faulk	Kendall	Nice	Stokes
Gilchrist	Killough	Oakley	Thomas
Hain	Kirkham	Payne	Windle
Hardy	Lee (Barbour)		

—33

Nays:

Mr. Speaker	Crook	Hawkins	Money
Adams	Davis	Hodges	Murphy
Albea	Dawkins	Huddleston	Nolen
Bassett	deGraffenried	Johnson (Elmore)	Oden
Boyd	Dement	Johnson (Tallapoosa)	Pirkle
Bradford	DeSear	Kelly	Fruitt
Branyon	Dickson	Lackey	Reynolds
Brassell	Edwards (Escambia)	Law	Roberts
Brewer	Ferrell	Lee (Lawrence)	Selman
Broadfoot	Franklin	Locke (Choctaw)	Shumate
Brown (Lamar)	Gist	Love	Simon
Brown (Lee)	Gregory	McClendon	Speaks
Burkhalter	Grouby	McLendon	Tyson
Callahan	Hall	McNider	Ward
Cornett	Haltom	Mathews	Wood
Cox	Harvey	Mathison	

—63

And said bill, H. 587, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 14.

Yeas:

Mr. Speaker	Callahan	Hain	Killough
Adams	Cornett	Hall	Lee (Lawrence)
Albea	Cox	Haltom	Locke (Choctaw)
Ashworth	Crook	Hanby	Locke (Perry)
Bassett	Davis	Hardy	Love
Boyd	Dawkins	Harrison	McClendon
Bradford	deGraffenried	Harvey	McKay
Brannan	DeSear	Hawkins	McLendon
Branyon	Dickson	Hodges	McNider
Brassell	Edwards (Escambia)	Huddleston	Martin
Brewer	Ferrell	Hunt	Mathews
Broadfoot	Franklin	Jenkins	Mathison
Brooks	Gilchrist	Johnson (Elmore)	Meeks
Brown (Lamar)	Gist	Johnson (Tallapoosa)	Molette
Brown (Lee)	Gregory	Kelly	Money
Burkhalter	Grouby	Kendall	Murphy

Nolen	Ramey	Simon	Taylor
Oden	Reynolds	Speaks	Tyson
Payne	Roberts	Steagall	Vacca
Pirkle	Selman	Stembridge	Ward
Pruitt	Shumate	Stokes	Wood

—84

Nays:

Messrs.	Kirkham	Nice	Solomon
Faulk	Law	Oakley	Thomas
Holliman	Lee (Barbour)	Perry	Windle
Kaul	Nettles	Richardson	

—14

MOTION TO RECONSIDER TABLED

On motion of Mr. Dawkins, his motion to reconsider the vote by which the bill, H. 587, as amended, was passed, was laid upon the table.

And the bill:

H. 273. To further provide for the general revenue of Alabama; to define certain terms; to provide for the withholding of certain taxes; to provide for the making of certain rules and regulations by the Commissioner of Revenue; to provide for including certain wages and excluding certain wages for withholding tax purposes; to provide for withholding certificates; to provide for the payment of amounts withheld; to provide for the assessment of tax against employer under certain conditions; to provide for appeal by the employer; to provide for the issuance of execution by the department under certain conditions; to provide for the furnishing of a statement to the employee; to provide for the liability for the tax withheld; to provide for refunds to employers; to provide for the credit for the tax withheld; to provide for the refunding or crediting of amounts overpaid; to provide penalties for violations of this Act; to provide an optional short form for reporting the tax and to limit its application; to provide tables showing amount of income tax due under certain conditions; to provide for a declaration of estimated tax and the time for filing the declaration; to provide for the payment of the tax estimated in the declaration and when payment is due; to provide for certain deductions; to amend Section 409, Title 51, Code of Alabama 1940, as amended; to repeal conflicting laws; to provide for the severability of this Act; and to provide an effective date for this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Broadfoot	Dawkins	Gilchrist
Adams	Brooks	deGraffenried	Gist
Ashworth	Brown (Lamar)	Dement	Goodwyn
Bassett	Brown (Lee)	DeSear	Gregory
Boyd	Burkhalter	Dickson	Grouby
Bradford	Callahan	Edwards (Escambia)	Hain
Brannan	Cornett	Edwards (Jefferson)	Hall
Branyon	Cox	Faulk	Haltom
Brassell	Crook	Ferrell	Hanby
Brewer	Davis	Franklin	Hardy

Harrison	Law	Money	Selman
Harvey	Lee (Barbour)	Murphy	Shumate
Hawkins	Lee (Lawrence)	Nettles	Simon
Hodges	Locke (Choctaw)	Nice	Solomon
Holliman	Locke (Perry)	Nolen	Speaks
Huddleston	Love	Oakley	Steagall
Hunt	McClendon	Oden	Stembridge
Jenkins	McKay	Payne	Stokes
Johnson (Elmore)	McLendon	Perry	Taylor
Johnson (Tallapoosa)	McNider	Pirkle	Thomas
Kaul	Martin	Pruitt	Tyson
Kelly	Mathews	Ramey	Vacca
Kendall	Mathison	Reynolds	Ward
Killough	Meeks	Richardson	Windle
Lackey	Molette	Roberts	Wood

—100

And the bill:

H. 87 (with amendment). To raise revenue: levying an additional privilege license tax upon every person, firm, or corporation who engages in the business of renting rooms, lodgings, or accommodations to transients; providing for the collection and enforcement of the tax, and for the distribution of the revenue produced thereby.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

WAYS AND MEANS COMMITTEE AMENDMENT TO H. B. 87

Amend Section 1 as follows:

By changing the period at the end of the first Sentence of Section 1 to a comma, and adding the following:

"including the charge for use or rental of personal property and services furnished in such room. Provided, however, there is exempted from the tax levied under the provisions of this Act any rentals or services taxed under the provisions of the Alabama Sales Tax Act, Article 10, Title 51, Code of Alabama 1940."

And the amendment was adopted.

Yeas 92; Nays 7.

Yeas:

Mr. Speaker	Callahan	Gilchrist	Holliman
Albea	Cornett	Gist	Huddleston
Ashworth	Cox	Goodwyn	Hunt
Bassett	Crook	Gregory	Jenkins
Boyd	Davis	Grouby	Johnson (Elmore)
Bradford	Dawkins	Hain	Kaul
Brannan	deGraffenried	Hall	Kelly
Branyon	Dement	Haltom	Kendall
Brassell	DeSear	Hanby	Killough
Brewer	Dickson	Hardy	Kirkham
Broadfoot	Edwards (Escambia)	Harrison	Lackey
Brooks	Edwards (Jefferson)	Harvey	Lee (Barbour)
Brown (Lamar)	Ferrell	Hawkins	Lee (Lawrence)
Burkhalter	Franklin	Hodges	Locke (Choctaw)

Locke (Perry)	Meeks	Perry	Simon
Love	Molette	Pirkle	Solomon
McClendon	Money	Pruitt	Speaks
McKay	Nettles	Ramey	Steagall
McLendon	Nice	Reynolds	Stokes
McNider	Nolen	Richardson	Taylor
Martin	Oakley	Roberts	Thomas
Mathews	Oden	Selman	Vacca
Mathison	Payne	Shumate	Ward

—92

Nays:

Messrs.	Johnson (Tallapoosa)	Murphy	Tyson
Adams	Law	Stembridge	Windle

—7

Mr. Harrison offered the following amendment to the bill, H. 87, as amended:

AMENDMENT OF H. B. 87

Strike out the last sentence in section 1 and insert the following:

The tax shall not apply to rooms, lodgings, or accommodations supplied for a period of thirty continuous days or more in any place other than a trailer court. The tax shall apply to accommodations supplied in a trailer court for any period the same may be rented.

And the amendment was adopted.

Yeas 94; Nays 8.

Yeas:

Mr. Speaker	DeSear	Johnson (Elmore)	Nettles
Adams	Dickson	Johnson (Tallapoosa)	Nice
Albea	Edwards (Escambia)	Kaul	Nolen
Ashworth	Edwards (Jefferson)	Kelly	Oakley
Bassett	Faulk	Kendall	Oden
Boyd	Ferrell	Killough	Payne
Bradford	Franklin	Kirkham	Perry
Brannan	Gilchrist	Lackey	Pirkle
Branyon	Gist	Lee (Barbour)	Pruitt
Brassell	Goodwyn	Lee (Lawrence)	Ramey
Brewer	Gregory	Locke (Choctaw)	Reynolds
Broadfoot	Grouby	Locke (Perry)	Richardson
Brooks	Hain	Love	Selman
Brown (Lamar)	Hall	McClendon	Shumate
Brown (Lee)	Haltom	McKay	Simon
Burkhalter	Hanby	McLendon	Solomon
Callahan	Hardy	McNider	Speaks
Cornett	Harrison	Martin	Stokes
Cox	Harvey	Mathews	Taylor
Crook	Hawkins	Mathison	Thomas
Davis	Hodges	Meeks	Vacca
Dawkins	Holliman	Molette	Ward
deGraffenried	Huddleston	Money	Wood
Dement	Jenkins		

—94

Nays:

Messrs.	Murphy	Steagall	Tyson
Hunt	Roberts	Stembridge	Windle
Law			

—8

And said bill, H. 87, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 7.

Yeas:

Mr. Speaker	Edwards (Escambia)	Kelly	Oden
Albea	Edwards (Jefferson)	Kendall	Payne
Ashworth	Faulk	Killough	Perry
Bassett	Franklin	Lackey	Pirkle
Boyd	Gilchrist	Lee (Barbour)	Pruitt
Bradford	Gist	Lee (Lawrence)	Ramey
Brannan	Goodwyn	Locke (Choctaw)	Reynolds
Branyon	Gregory	Locke (Perry)	Richardson
Brassell	Grouby	Love	Roberts
Brewer	Hain	McClendon	Selman
Broadfoot	Hall	McKay	Shumate
Brown (Lee)	Haltom	McLendon	Simon
Burkhalter	Hanby	McNider	Solomon
Callahan	Hardy	Martin	Speaks
Cornett	Harrison	Mathews	Steagall
Cox	Harvey	Mathison	Stembridge
Crook	Hawkins	Meeks	Stokes
Davis	Hodges	Molette	Taylor
Dawkins	Holliman	Money	Thomas
deGraffenried	Huddleston	Nettles	Vacca
Dement	Jenkins	Nice	Ward
DeSear	Johnson (Elmore)	Nolen	Wood
Dickson	Kaul	Oakley	

—91

Nays:

Messrs.	Hunt	Law	Tyson
Adams	Johnson (Tallapoosa)	Murphy	Windle

—7

MOTION ADOPTED

The motion of Mr. Goodwyn to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 683, was adopted.

And the bill:

H. 683 (with substitute). Proposing an amendment to the Constitution of Alabama authorizing the Legislature to levy and collect a school tax on incomes from whatever source derived within this State, fixing the rates at which the tax may be levied, and dedicating the proceeds thereof for public school purposes.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Constitution and Elections, said committee substitute being as follows:

SUBSTITUTE FOR H. B. 683

**A BILL
TO BE ENTITLED
AN ACT**

Proposing an amendment to the Constitution of Alabama authoriz-

ing the Legislature to levy and collect a special tax on incomes, fixing the rates at which the tax may be levied, and dedicating the proceeds thereof for educational purposes.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama is proposed, and shall become valid as a part thereof when approved and proclaimed as prescribed by law:

PROPOSED AMENDMENT

"The legislature shall levy and provide for the collection of additional taxes for educational purposes on incomes from whatever source derived within the State, including income derived from salaries, fees, and compensation paid from the State, county, municipality, and any agency or creature thereof, and incomes not otherwise taxed pursuant to Amendment XXV submitted July 18, 1933 and proclaimed ratified August 2, 1933, for the calendar year 1955, and thereafter. Such tax shall be based on the adjusted gross incomes of individuals and corporations. For the purposes of this amendment, the term 'adjusted gross income' shall mean the entire income received during any taxable year less ordinary and necessary expenses incurred in acquiring such income, without personal exemptions or other deductions of any kind whatsoever. The tax shall be imposed at the following rates on the incomes of individuals and corporations:

If the adjusted gross income is:	The tax shall be:
Not over \$1,000	None
Over \$1,000 but not over \$2,000.....	.0030% of the taxable income.
Over \$2,000 but not over \$3,000.....	\$10.00, plus .0035% of excess over \$2,000.
Over \$3,000 but not over \$4,000.....	\$15.00, plus .0040% of excess over \$3,000.
Over \$4,000 but not over \$5,000.....	\$20.00, plus .0045% of excess over \$4,000.
Over \$5,000 but not over \$6,000.....	\$37.00, plus .0050% of excess over \$5,000.
Over \$6,000 but not over \$7,000.....	\$42.00, plus .0055% of excess over \$6,000.
Over \$7,000 but not over \$8,000.....	\$47.00, plus .0060% of excess over \$7,000.
Over \$8,000 but not over \$9,000.....	\$53.00, plus .0065% of excess over \$8,000.
Over \$9,000 but not over \$10,000.....	\$58.00, plus .0070% of excess over \$9,000.
Over \$10,000 but not over \$12,500.....	\$65.00, plus .0075% of excess over \$10,000.
Over \$12,500 but not over \$15,000.....	\$77.00, plus .0080% of excess over \$12,500.
Over \$15,000 but not over \$20,000.....	\$87.00, plus .0085% of excess over \$15,000.

Over \$20,000 but not over \$25,000.....	\$100.00, plus .0090% of excess over \$20,000.
Over \$25,000 but not over \$30,000.....	\$115.00, plus .0095% of excess over \$25,000.
Over \$30,000 but not over \$50,000.....	\$150.00, plus 1.0% of excess over \$30,000.
Over \$50,000 but not over \$75,000.....	\$200.00, plus 1.1% of excess over \$50,000.
Over \$75,000 but not over \$100,000.....	\$300.00, plus 1.2% of excess over \$75,000.
Over \$100,000.....	\$500.00, plus 1.3% of excess over \$100,000.

The revenues derived from the tax shall be used exclusively for educational purposes. The tax authorized by this amendment shall be in addition to the tax authorized to be levied on the net incomes of individuals and corporations; and as to individuals, the tax shall be withheld at the source in accordance with such regulations as the Legislature may prescribe."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

And the substitute was adopted.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Crook	Haltom	Law
Adams	Davis	Hanby	Lee (Barbour)
Albea	Dawkins	Hardy	Lee (Lawrence)
Ashworth	deGraffenried	Harrison	Locke (Choctaw)
Bassett	Dement	Harvey	Locke (Perry)
Boyd	DeSear	Hawkins	Love
Bradford	Dickson	Hodges	McClendon
Brannan	Edwards (Escambia)	Holliman	McKay
Branyon	Edwards (Jefferson)	Huddleston	McLendon
Brassell	Faulk	Hunt	McNider
Brewer	Ferrell	Jenkins	Martin
Broadfoot	Franklin	Johnson (Elmore)	Mathews
Brooks	Gilchrist	Johnson (Tallapoosa)	Mathison
Brown (Lamar)	Gist	Kaul	Meeks
Brown (Lee)	Goodwyn	Kelly	Molette
Burkhalter	Gregory	Kendall	Money
Callahan	Grouby	Killough	Murphy
Cornett	Hain	Kirkham	Nettles
Cox	Hall	Lackey	Nice

Nolen
Oden
Payne
Perry
Pirkle
Pruitt
Ramey

Reynolds
Richardson
Roberts
Selman
Shumate
Simon

Solomon
Speaks
Steagall
Stembridge
Stokes
Taylor

Thomas
Tyson
Vacca
Ward
Windle
Wood

—101

Mr. Goodwin offered the following amendment to the bill, H. 683, as amended:

AMENDMENT OF THE SUBSTITUTE FOR H. B. 683

Strike out the schedule of tax rates appearing in the proposed amendment set out in Section 1 and insert the following:

If the adjusted gross income is:	The tax shall be:
Not over \$2,000 but more than \$1,000.....	.0050 of the taxable income.
Over \$2,000 but not over \$3,000.....	\$10.00, plus .0060 of excess over \$2,000.
Over \$3,000 but not over \$4,000.....	\$16.00, plus .0065 of excess over \$3,000.
Over \$4,000 but not over \$5,000.....	\$22.50, plus .0070 of excess over \$4,000.
Over \$5,000 but not over \$6,000.....	\$29.50, plus .0075 of excess over \$5,000.
Over \$6,000 but not over \$7,000.....	\$40.00, plus .0080 of excess over \$6,000.
Over \$7,000 but not over \$8,000.....	\$48.00, plus .0085 of excess over \$7,000.
Over \$8,000 but not over \$9,000.....	\$56.50, plus .0090 of excess over \$8,000.
Over \$9,000 but not over \$10,000.....	\$65.50, plus .0095 of excess over \$9,000.
Over \$10,000 but not over \$12,000.....	\$75.00, plus .0100 of excess over \$10,000.
Over \$12,000 but not over \$14,000.....	\$95.00, plus .0150 of excess over \$12,000.
Over \$14,000 but not over \$16,000.....	\$125.00, plus .0200 of excess over \$14,000.
Over \$16,000 but not over \$18,000.....	\$165.00, plus .0250 of excess over \$16,000.
Over \$18,000 but not over \$20,000.....	\$215.00, plus .0300 of excess over \$18,000.
Over \$20,000 but not over \$22,000.....	\$275.00, plus .0350 of excess over \$20,000.
Over \$22,000 but not over \$25,000.....	\$345.00, plus .0375 of excess over \$22,000.
Over \$25,000 but not over \$35,000.....	\$457.00, plus .0385 of excess over \$25,000.

Over \$35,000 but not over \$50,000.....	\$842.00, plus .0395 of excess ove \$35,000.
Over \$50,000 but not over \$65,000.....	\$1,434.00, plus .0400 of excess over \$50,000.
Over \$65,000 but not over \$80,000.....	\$2,034.00, plus .0405 of excess over \$65,000.
Over \$80,000 but not over \$90,000.....	\$2,641.50, plus .0407 of excess over \$80,000.
Over \$90,000 but not over \$100,000.....	\$3,048.50, plus .0408 of excess over \$90,000.
Over \$100,000	\$3,456.50, plus .015 of excess over \$100,000.

Also, insert the following sentence between the first and second sentences of the proposed amendment.

The Legislature shall have the power to designate and define the incomes to be taxed.

And the amendment was adopted.

Yeas 97; Nays 2.

Yeas:

Mr. Speaker	Edwards (Escambia)	Johnson (Tallahpoosa)	Oakley
Adams	Edwards (Jefferson)	Kaul	Oden
Ashworth	Faulk	Kelly	Payne
Bassett	Ferrell	Kendall	Perry
Boyd	Franklin	Killough	Pirkle
Bradford	Gilchrist	Lackey	Pruitt
Brannan	Gist	Law	Ramey
Branyon	Goodwyn	Lee (Barbour)	Reynolds
Brassell	Gregory	Lee (Lawrence)	Richardson
Brewer	Grouby	Locke (Choctaw)	Roberts
Broadfoot	Hain	Locke (Perry)	Selman
Brooks	Hall	Love	Simon
Brown (Lamar)	Haltom	McClendon	Solomon
Brown (Lee)	Hanby	McKay	Speaks
Burkhalter	Hardy	McLendon	Steagall
Callahan	Harrison	McNider	Stembridge
Cornett	Harvey	Martin	Stokes
Cox	Hawkins	Mathison	Taylor
Crook	Hodges	Meeks	Thomas
Davis	Holliman	Molette	Tyson
Dawkins	Huddleston	Money	Vacca
deGraffenried	Hunt	Nettles	Ward
Dement	Jenkins	Nice	Windle
DeSear	Johnson (Elmore)	Nolen	Wood
Dickson			

—97

Nays: Messrs. Kirkham and Murphy.

—2

And said bill, H. 683, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 2.

Yeas:

Mr. Speaker	Ashworth	Boyd	Brannan
Adams	Bassett	Bradford	Branyon

Brassell	Gist	Lackey	Perry
Brewer	Goodwyn	Law	Pirkle
Broadfoot	Gregory	Lee (Barbour)	Pruitt
Brooks	Grouby	Lee (Lawrence)	Ramey
Brown (Lamar)	Hain	Locke (Choctaw)	Reynolds
Brown (Lee)	Hall	Locke (Perry)	Richardson
Burkhalter	Haltom	Love	Roberts
Callahan	Hanby	McClendon	Selman
Cornett	Hardy	McKay	Shumate
Cox	Harrison	McLendon	Simon
Crook	Harvey	McNider	Solomon
Davis	Hawkins	Martin	Speaks
Dawkins	Hodges	Mathews	Steagall
deGraffenried	Holliman	Mathison	Stembridge
Dement	Huddleston	Meeks	Stokes
DeSear	Hunt	Molette	Taylor
Dickson	Jenkins	Money	Thomas
Edwards (Escambia)	Johnson (Elmore)	Nettles	Tyson
Edwards (Jefferson)	Johnson (Tallapoosa)	Nice	Vacca
Faulk	Kaul	Nolen	Ward
Ferrell	Kelly	Oden	Windle
Franklin	Kendall	Payne	Wood
Gilchrist	Killough		

—98

Nays: Messrs. Kirkham and Murphy.

—2

BILLS POSTPONED

On motion of Mr. Dawkins, consideration of the bills, H. 484, and H. 483, was postponed until the thirtieth legislative day.

H. 210 INDEFINITELY POSTPONED

On motion of Mr. Dawkins, the bill, H. 210, was indefinitely postponed.

And the bill:

H. 211 (with substitute). To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1956, and September 30, 1957, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Board of Trustees of the Partlow State School, the Alabama Educational Television Commission and for the Teachers' Retirement System.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

WAYS & MEANS COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 211

A BILL
TO BE ENTITLED
AN ACT

To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1956, and September 30, 1957, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, The Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teachers' Retirement System.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following appropriations from the Alabama Special Educational Trust Fund are hereby made for the support of public education in Alabama; and, except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Article 3, Chapter 4, Title 55, of the Code of Alabama 1940).

Section 2. DEPARTMENT OF EDUCATION. There is hereby appropriated for each of the fiscal years 1955-56 and 1956-57 to the Department of Education the following amounts:

For the fiscal year ending September 30, 1956:	
Salary of the State Superintendent.....	\$ 10,000.00
Other salaries	234,700.00
Other expenses	128,593.00
Equipment purchases	1,000.00
Transfer to State Personnel Department.....	3,707.00
Total	\$ 378,000.00
For Plans and Surveys	25,000.00
For the fiscal year ending September 30, 1957:	
Salary of the State Superintendent	10,000.00
Other salaries	234,700.00
Other expenses	128,492.00
Equipment purchases	1,000.00
Transfer to State Personnel Department	3,808.00
Total	378,000.00
For Plans and Surveys	25,000.00

Section 3. REVOLVING FUND. There is hereby appropriated to the State Board of Education for each of the fiscal years ending September 30, 1956 and September 30, 1957, the sum of \$50,000.00 to be known as the Revolving Fund to be expended to relieve emergency conditions that arise in connection with the operation of the public schools, or in otherwise aiding the public schools in accordance with the provisions of status relating to the expenditure of such fund.

Section 4. MINIMUM PROGRAM FUND. In addition to all other funds appropriated for the public elementary and high schools of the State there is hereby appropriated to the State Board of Education for

the fiscal year ending September 30, 1956 the sum of \$79,424,660.00, and for the fiscal year ending September 30, 1957 the sum of \$81,582,760.00 to be known as the Minimum Program Fund, which, in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such fund, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State; provided, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education, shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgment of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local Board of Education in any school are such as to prevent the operation of that school for the required nine months minimum term. The Minimum Program Fund shall also include any other appropriations of funds, either State or Federal, which may be designated by the Legislature as a part of the Minimum Program Fund.

Section 5. FREE TEXTBOOKS. There is hereby appropriated to the State Board of Education for each of the fiscal years ending September 30, 1956 and September 30, 1957, the sum of \$897,000.00 to be expended for the purpose of furnishing free textbooks in the tax-supported public elementary school of the State in accordance with the statutes and regulations of the State Board of Education in regard thereto.

Section 6. ALABAMA COLLEGE:

For the operation and maintenance of the College.....\$ 570,000.00

Section 7. UNIVERSITY OF ALABAMA:

A. The University:

(1) For operation and maintenance.....	3,450,000.00
(2) For School of Nursing	50,000.00
(3) Tuberculosis Nursing (Education)	25,900.00

B. The University of Alabama Medical Center:

(1) For the Medical College and School of Nursing, for maintenance and operation.....	950,000.00
(2) For expense to Jefferson-Hillman Hospital for indigent patient treatment during instruction of medical students	500,000.00
(3) For the School of Dentistry, for maintenance and operation	550,000.00

The above appropriation for the Alabama Medical Center shall be expended pursuant to the provisions of Act No. 89, 1943 Acts, page 89, and Section 9 of Act No. 207, 1945 Acts, page 325.

C. Research and Extension:

For research and extension work	195,000.00
---------------------------------------	------------

The above appropriation shall be expended pursuant to the provisions of Act No. 157, 1943 Acts, page 142.

Section 8. ALABAMA POLYTECHNIC INSTITUTE:

A. The College:

- | | |
|--|--------------|
| (1) For operation and maintenance..... | 3,050,000.00 |
| (2) For operation and maintenance of Farm Machinery Building | 12,000.00 |
| (3) Engineering Experiment Station | 85,000.00 |

B. School of Forestry:

- | | |
|--|--------------|
| (1) For instruction in forestry and training for agricultural students | \$ 41,500.00 |
| (2) For research in forestry | 34,000.00 |

The above appropriations to the School of Forestry shall be expended pursuant to the provisions of Act No. 294, 1945 Acts, page 488.

C. Extension Work for Agriculture and Home Economics:

- | | |
|---|------------|
| (1) For advising, demonstrating and informing people of Alabama in agricultural, farm and home pursuits, and other extension services | 865,000.00 |
| (2) For extension service marketing specialists, for salaries and expenses | 80,000.00 |

The appropriation herein made to the Extension Service shall be expended under the direction of the Board of Trustees of the Alabama Polytechnic Institute through its Extension Service and shall be done in such manner as to make available the maximum amounts of aid from the Federal government.

D. Agricultural Research:

- | | |
|--|--------------|
| (1) Alabama Agricultural Experiment Station at Auburn, for work and experimentation..... | 600,000.00 |
| (2) For floriculture and ornamental horticulture study and research | 15,300.00 |
| (3) Tennessee Valley Branch Station located at Bell Mina in Limestone County..... | 18,600.00 |
| (4) Sand Mountain Branch Station located at Crossville in DeKalb County..... | 18,600.00 |
| (5) Black Belt Branch Station located at Marion Junction in Dallas County | 21,000.00 |
| (6) Wiregrass Branch Station located at Headland in Henry County | 18,600.00 |
| (7) Gulf Coast Branch Station located at Fairhope in Baldwin County..... | \$ 21,000.00 |
| (8) Piedmont Experiment Branch Station..... | 21,000.00 |
| (9) Upper Coastal Plains Branch Station..... | 21,000.00 |
| (10) Lower Coastal Plains Branch Station..... | 21,000.00 |
| (11) For the support of researches and experiments on experiment fields | 31,800.00 |

(12) Horticultural Branch Station in Chilton County	18,600.00
(13) Horticultural Branch Station in North Alabama	18,600.00
(14) Wiregrass Experiment Station at Headland, Alabama	12,750.00

(The appropriation to the Wiregrass Experiment Station at Headland, Alabama is to be devoted to the payment of salaries and other expenses incidental to conducting experiments and research in developing methods of producing, harvesting, marketing, and processing peanuts and preventing damage to peanut crops.)

(15) Co-operative research at the Agricultural and Experimental Sub-stations	47,500.00
(16) Research on Pink Boll Worm.....	15,000.00

That all research work and experimentation contemplated by the spirit and purpose of this sub-section (D) shall be carried out under the supervision of the Director of the Agricultural Experiment Station System and the President of the Alabama Polytechnic Institute, who shall make a complete report to the Board of Trustees of the Alabama Polytechnic Institute for each of the fiscal years ending September 30, 1956 and September 30, 1957.

The funds provided in this sub-section (D) shall be used for the support of researches, experiments, and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the production, marketing and curing of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants, for the establishment, care, use and management of pastures for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns and other sod crop purposes; for the testing of varieties of crops, including soil adaption and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut and vegetable crops; for the study of plant and animal disease, and insect pests; for researches and experiments dealing with forest production, management and use; for researches dealing with soil erosion and problems arising from the waste of land due to soil erosion; for researches to discover new uses of land; for the provisions of necessary land, buildings, fencing, livestock and other physical equipment needed for the research work herein provided for; for researches in game and fish production; provided, however, that any researches in game and fish production shall be in cooperation with or upon the advice of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agricultural Experiment Station and that of the State Department of Conservation; as future changing agricultural conditions may demand, for researches and experiments on other similar important agricultural and economic problems having for their object the development of a more permanent, profitable, and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

E. Education Television\$ 85,000.00

Section 9. TEACHERS' RETIREMENT SYSTEM:

For each of the fiscal years ending September 30,
1956 and September 30, 1957..... 4,575,000.00

TEACHERS' SPECIAL PENSION FUND:

For the fiscal year ending September 30, 1956\$ 555,000.00

For the fiscal year ending September 30, 1957..... 655,000.00

The above appropriation shall be expended in accordance with the statutes and regulations now or hereafter existing relating to the expenditure of such Teachers' Retirement Fund and Teachers' Special Pension Fund.

Section 10. ALABAMA STATE COLLEGE FOR NEGROES:

For the operation and maintenance of the College..... 1,025,000.00

Section 11. AGRICULTURAL AND MECHANICAL INSTITUTE AT NORMAL, ALABAMA:

For the operation and maintenance of the Institute..... 605,000.00

Section 12. THE TEACHERS COLLEGES:

(a) State Teachers College at Florence..... 95,500.00

(b) State Teachers College at Jacksonville..... 95,500.00

(c) State Teachers College at Livingston..... 88,500.00

(d) State Teachers College at Troy 88,500.00

Section 13. ALABAMA INSTITUTE FOR DEAF AND BLIND:

For the maintenance, support, insurance and upkeep 773,192.00

For salaries and expenses incident to instruction of Adult Blind, for the fiscal year ending September 30, 1956 109,000.00

For salaries and expenses incident to instruction of Adult Blind, for the fiscal year ending September 30, 1957 85,000.00

Section 14. VOCATIONAL TRADE SCHOOLS:

For operation and maintenance:

(a) Napier\$ 161,000.00

(b) Wenonah 172,000.00

(c) Tuscaloosa 147,000.00

(d) Mobile 165,000.00

(e) Decatur 194,000.00

(f) Alabama School of Trades and Industries 194,000.00

Section 15. ALABAMA BOYS' INDUSTRIAL SCHOOL:

For the maintenance, support, insurance and upkeep of the Alabama Boys' Industrial School 244,000.00

Section 16. ALABAMA INDUSTRIAL SCHOOL FOR NEGROES:

For maintenance, support, insurance and upkeep of the Alabama Industrial School for Negroes..... 150,000.00

Section 17. STATE TRAINING SCHOOL FOR GIRLS:

For the maintenance, support, insurance and upkeep of the State Training School for Girls 118,000.00

Section 18. ALABAMA EDUCATIONAL TELEVISION COMMISSION:

For salaries, other expenses and equipment purchases incident to the operation of the Commission and its Television Network 250,000.00

Section 19. MISCELLANEOUS:

A. Civilian Rehabilitation:

Handicapped individuals 772,000.00
(No administrative costs included herein.)

B. Elementary Teachers' Scholarship Fund 25,000.00

C. Illiteracy Fund:

For salaries\$ 5,280.00
For other expenses 1,400.00
For disbursement to Counties 5,820.00

Total 12,500.00

D. Physical Restoration of Crippled

Children:

For salaries\$ 45,000.00
For other expenses 17,000.00
Reimbursement to Local Boards for District Offices 15,000.00
Handicapped Individuals 394,000.00

Total \$ 471,000.00

E. Regional Education 76,250.00

F. Student Aid in graduate and professional fields 82,500.00

G. Teacher Training Equalization Fund:

For the teacher training program at State Teachers Colleges at Florence, Jacksonville, Livingston and Troy 1,265,000.00

H. Vocational Education:

For salaries 25,920.00
For other expenses16,807.50
For equipment purchases 2,500.00
Disbursements to Local Boards and Institutions3,854,772.50

Total 3,900,000.00

I. For Debt Service:

(Payment of principal and interest on outstanding bonds of the School Bond Commission pursu- ant to Constitutional Amendment	4,400,000.00
---	--------------

Funds of the above appropriation not required for debt service payments shall, upon order of the Governor be transferred to the Alabama Building Commission for allocation and distribution to the eleemosynary and educational institutions of the State for capital outlay purposes only.

Section 20. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, upon approval by the Governor, shall issue his warrant therefor; provided, that all appropriations and funds made available to the Alabama College, the University of Alabama, the Alabama Polytechnic Institute, the Institute for the Deaf and Blind, the Boys' Industrial School, the Alabama Industrial School for Negroes, the State Training School for Girls, the Alabama Educational Television Commission and for the Teachers' Retirement System by the provisions of this Act shall be paid by request to the Comptroller made in the manner now provided by law.

Section 21. The provisions of this Act are severable. If any section, paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, such holding shall not affect any other section, paragraph, sentence, clause, provisions, or portion of this Act, or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 22. All laws and parts of laws, general, special, private or local, in conflict with the provisions of this Act are hereby expressly repealed.

Section 23. This Act shall become effective on October 1, 1955.

And the substitute was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crook	Hall	Kirkham
Adams	Davis	Haltom	Lackey
Albea	Dawkins	Hanby	Law
Ashworth	Dement	Hardy	Lee (Barbour)
Bradford	DeSear	Harrison	Lee (Lawrence)
Brannan	Dickson	Harvey	Locke (Choctaw)
Brassell	Edwards (Jefferson)	Hawkins	Locke (Perry)
Brewer	Faulk	Hodges	Love
Broadfoot	Ferrell	Huddleston	McClendon
Brooks	Franklin	Jenkins	McKay
Brown (Lamar)	Gilchrist	Johnson (Elmore)	McLendon
Brown (Lee)	Gist	Johnson (Tallapoosa)	McNider
Burkhalter	Gregory	Kaul	Martin
Callahan	Grouby	Kendall	Mathews
Cornett	Hain	Killough	Meeks

Molette	Perry	Simon	Taylor
Money	Pirkle	Solomon	Thomas
Nettles	Pruitt	Speaks	Tyson
Nice	Ramey	Steagall	Vacca
Cakley	Reynolds	Stokes	Ward
Oden	Roberts	Summerlin	Windle
Payne	Selman		

—86

Mr. Pruitt offered the following amendment to the bill, H. 211, as amended:

AMENDMENT OF H. B. 211

Amend House Bill No. 211 by striking therefrom in subsection I of Section 19 of said bill the figures "\$4,400,000.00" and the sentence composing the paragraph following these figures in such subsection, and inserting in lieu thereof the following:

"For the fiscal year ending September 30, 1956.....\$1,250,000.00

For the fiscal year ending September 30, 1957\$2,500,000.00

Funds of the above appropriation shall be used only for debt service payments.

The motion of Mr. Dawkins to lay on the table the amendment offered by Mr. Pruitt was lost.

Yeas 36; Nays 58.

Yeas:

Mr. Speaker	Davis	Hanby	Money
Adams	Dawkins	Hawkins	Oden
Branyon	deGraffenried	Johnson (Tallapoosa)	Payne
Brassell	Dement	Law	Reynolds
Brewer	Edwards (Escambia)	Lee (Lawrence)	Richardson
Broadfoot	Ferrell	Love	Roberts
Brown (Lamar)	Gilchrist	McNider	Selman
Burkhalter	Hall	Mathews	Stembridge
Callahan	Haltom	Mathison	Ward

—36

Nays:

Messrs.	Gist	Killough	Oakley
Albea	Goodwyn	Kirkham	Perry
Ashworth	Grouby	Lackey	Pirkle
Boyd	Hain	Lee (Barbour)	Pruitt
Bradford	Hardy	Locke (Choctaw)	Simon
Branyon	Harrison	Locke (Perry)	Solomon
Brooks	Harvey	McClendon	Speaks
Brown (Lee)	Hodges	McKay	Steagall
Cornett	Holliman	McLendon	Stokes
Crook	Huddleston	Meeks	Summerlin
DeSear	Hunt	Molette	Thomas
Dickson	Jenkins	Murphy	Tyson
Edwards (Jefferson)	Johnson (Elmore)	Nettles	Vacca
Faulk	Kaul	Nice	Windle
Franklin	Kendall	Nolen	

—58

On motion of Mr. Pruitt the amendment offered by him to the bill, H. 211, as amended, was withdrawn.

Messrs. Pruitt, Gilchrist and Callahan offered the following amendment to the bill, H. 211, as amended.

Amend Section 19, sub-section 1 of Substitute for House Bill No. 211 as follows:

"1. For Debt Service:

(Payment of principal and interest on outstanding bonds of the School Bond Commission pursuant to Constitutional Amendment)4,400,000.00
Funds of the above appropriation not required for debt service payments shall be transferred to the Alabama Building Commission for allocation and distribution to the presently existing eleemosynary and/or to the presently existing educational institutions for capital outlay purposes." such structures to be contiguous to the present campus of such presently existing institutions.

The motion of Mr. Simon to lay on the table the amendment offered by Messrs. Pruitt, Gilchrist and Callahan was lost.

Yeas 31; Nays 61.

Yeas:

Messrs.	Davis	Kirkham	Oden
Adams	Gregory	Law	Reynolds
Branyon	Hain	Lee (Lawrence)	Simon
Brassell	Hardy	Love	Steagall
Brewer	Holliman	Molette	Stembridge
Brown (Lamar)	Johnson (Elmore)	Murphy	Stokes
Burkhalter	Johnson (Tallapoosa)	Nettles	Tyson
Cox	Kelly	Oakley	Wood

—31

Nays:

Messrs.	Edwards (Jefferson)	Kendall	Nolen
Albea	Faulk	Killough	Payne
Ashworth	Franklin	Lackey	Perry
Boyd	Gilchrist	Lee (Barbour)	Pirkle
Bradford	Gist	Locke (Choctaw)	Pruitt
Brannan	Goodwyn	Locke (Perry)	Ramey
Broadfoot	Grouby	McClendon	Richardson
Brooks	Hall	McKay	Roberts
Brown (Lee)	Haltom	McLendon	Solomon
Callahan	Hanby	McNider	Speaks
Cornett	Harrison	Martin	Summerlin
Crook	Harvey	Mathison	Thomas
deGraffenried	Hodges	Meeks	Vacca
Dement	Hunt	Money	Ward
DeSear	Jenkins	Nice	Windle
Dickson	Kaul		

—61

And the amendment offered by Messrs. Pruitt, Gilchrist and Callahan was adopted.

Yeas 85; Nays 13.

Yeas:

Messrs.	Ashworth	Bradford	Branyon
Albea	Boyd	Brannan	Brassell

Brewer	Gist	Lee (Lawrence)	Pruitt
Broadfoot	Goodwyn	Locke (Choctaw)	Ramey
Brooks	Gregory	Locke (Perry)	Reynolds
Brown (Lee)	Grouby	Love	Richardson
Burkhalter	Hall	McClendon	Roberts
Callahan	Haltom	McKay	Selman
Cornett	Hanby	McLendon	Shumate
Cox	Harrison	McNider	Solomon
Crook	Harvey	Martin	Speaks
Dawkins	Hawkins	Mathews	Steagall
deGraffenried	Hodges	Mathison	Stembridge
Dement	Holliman	Molette	Stokes
DeSear	Hunt	Money	Summerlin
Dickson	Jenkins	Nice	Taylor
Edwards (Escambia)	Kaul	Nolen	Thomas
Edwards (Jefferson)	Kendall	Oden	Vacca
Faulk	Killough	Payne	Ward
Ferrell	Lackey	Perry	Windle
Franklin	Law	Pirkle	Wood
Gilchrist	Lee (Barbour)		

—85

Nays:

Messrs.	Hain	Kirkham	Oakley
Adams	Hardy	Murphy	Simon
Brown (Lamar)	Johnson (Elmore)	Nettles	Tyson
Davis	Johnson (Tallapoosa)		

—13

And said bill, H. 211, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Messrs.	Dickson	Johnson (Elmore)	Murphy
Adams	Edwards (Escambia)	Johnson (Tallapoosa)	Nettles
Albea	Edwards (Jefferson)	Kaul	Nice
Ashworth	Faulk	Kelly	Nolen
Boyd	Ferrell	Kendall	Oakley
Bradford	Franklin	Killough	Oden
Brannan	Gilchrist	Kirkham	Payne
Branyon	Gist	Lackey	Perry
Brassell	Goodwyn	Law	Pirkle
Brewer	Gregory	Lee (Barbour)	Pruitt
Broadfoot	Grouby	Lee (Lawrence)	Ramey
Brooks	Hunt	Locke (Choctaw)	Reynolds
Brown (Lamar)	Hall	Locke (Perry)	Richardson
Brown (Lee)	Haltom	Love	Roberts
Burkhalter	Hanby	McClendon	Selman
Callahan	Hardy	McKay	Shumate
Cornett	Harrison	McLendon	Simon
Cox	Harvey	McNider	Solomon
Crook	Hawkins	Martin	Speaks
Davis	Hodges	Mathews	Steagall
Dawkins	Holliman	Mathison	Stembridge
deGraffenried	Huddleston	Meeks	Stokes
Dement	Hunt	Molette	Summerlin
DeSear	Jenkins	Money	Taylor

Thomas
Tyson

Vacca
Ward

Windle

Wood

—101

POINT OF PERSONAL PRIVILEGE

Mr. Summerlin requested as a matter of personal privilege that the Journal show that he had to attend a meeting of the Board of Trustees of Alabama Polytechnic Institute and was absent when the school tax measures were passed by the House of Representatives. He requested that the Journal show that had he been present he would have voted "aye" on H. B. 587, H. B. 273, H. B. 87 and H. B. 683.

And it was so ordered.

COMMITTEE OF CONFERENCE REQUESTED

On motion of Mr. Dawkins, the House again non-concurred in the Senate amendment to the bill,

H. 33. To authorize the Governor, the Director of Finance, and the Attorney General to become a public corporation for the purpose of acquiring land from the State or otherwise upon which it shall, at a cost not to exceed five million dollars, construct, operate and maintain, or cause to be constructed, operated and maintained, an office building or buildings, the space therein to be rented to officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to provide for the lease to and by officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States of space for occupancy in said building or buildings; and to provide that any properties of the corporation and the income therefrom and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities.

On motion of Mr. Dawkins, a Committee of Conference was requested on the disagreement of the two Houses on the Senate amendment to the bill, H. 33.

The Speaker of the House named as the Committee of Conference on the part of the House Messrs. Mathews, Mathison and Dawkins.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration: By the Rules Committee:

S. J. R. 54. RESOLVED By the Senate, the House concurring, that

when the two Houses adjourn today, they adjourn to meet again on Friday, July 29th, 1955.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Dawkins the rules were suspended and the House concurred in and adopted the S. J. R. 54 set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING RESUMED

H. 214. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 3.

Yeas:

Messrs.	DeSear	Hunt	Nolen
Adams	Dickson	Jenkins	Oden
Albea	Edwards (Escambia)	Johnson (Elmore)	Payne
Ashworth	Edwards (Jefferson)	Johnson (Tallapoosa)	Perry
Bassett	Faulk	Kaul	Pruitt
Boyd	Ferrell	Kelly	Ramey
Bradford	Franklin	Kendall	Reynolds
Brannan	Gilchrist	Killough	Richardson
Branyon	Gist	Lackey	Roberts
Brassell	Goodwyn	Lee (Barbour)	Simon
Brewer	Gregory	Lee (Lawrence)	Solomon
Broadfoot	Grouby	Locke (Perry)	Speaks
Brooks	Hain	McClendon	Steagall
Brown (Lamar)	Hall	McKay	Stembridge
Brown (Lee)	Haltom	McLendon	Stokes
Burkhalter	Hanby	McNider	Summerlin
Callahan	Hardy	Martin	Taylor
Cornett	Harrison	Mathews	Thomas
Cox	Harvey	Mathison	Tyson
Crook	Hawkins	Meeks	Vacca
Davis	Hodges	Money	Ward
Dawkins	Holliman	Murphy	Windle
deGraffenried	Huddleston	Nice	Wood
Dement			

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Nays: Messrs. Kirkham, Selman and Shumate.

—3

And the bill:

H. 215. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 1.

Yeas:

Messrs.	Ashworth	Bradford	Brassell
Adams	Bassett	Brannan	Brewer
Albea	Boyd	Branyon	Broadfoot

Brown (Lamar)	Gregory	Lackey	Perry
Brown (Lee)	Grouby	Law	Pruitt
Burkhalter	Hunt	Lee (Barbour)	Ramey
Callahan	Hall	Lee (Lawrence)	Reynolds
Cornett	Haltom	Locke (Perry)	Richardson
Cox	Hanby	Love	Roberts
Crook	Hardy	McClendon	Selman
Davis	Harrison	McKay	Shumate
Dawkins	Harvey	McLendon	Simon
deGraffenried	Hawkins	McNider	Solomon
Dement	Hodges	Martin	Speaks
DeSear	Huddleston	Mathews	Steagall
Dickson	Hunt	Mathison	Stembridge
Edwards (Escambia)	Jenkins	Meeks	Summerlin
Edwards (Jefferson)	Johnson (Elmore)	Money	Taylor
Faulk	Johnson (Tallapoosa)	Murphy	Thomas
Ferrell	Kaul	Nice	Tyson
Franklin	Kelly	Nolen	Vacca
Gilchrist	Kendall	Oden	Ward
Gist	Killough	Payne	Windle
Goodwyn			

—92

Nays: Mr. Stokes.

—1

And the bill:

H. 217. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering, veterinary medicine, nursing, home economics and agriculture.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 3.

Yeas:

Messrs.	DeSear	Hunt	Oden
Adams	Dickson	Jenkins	Payne
Albea	Edwards (Escambia)	Johnson (Elmore)	Perry
Ashworth	Edwards (Jefferson)	Johnson (Tallapoosa)	Pruitt
Bassett	Faulk	Kaul	Ramey
Boyd	Ferrell	Kelly	Reynolds
Bradford	Franklin	Killough	Richardson
Brannan	Gilchrist	Lackey	Roberts
Branyon	Gist	Law	Selman
Brassell	Goodwyn	Lee (Barbour)	Shumate
Brewer	Gregory	Lee (Lawrence)	Simon
Broadfoot	Grouby	Love	Solomon
Brown (Lamar)	Hain	McClendon	Speaks
Brown (Lee)	Hall	McKay	Steagall
Burkhalter	Haltom	McLendon	Stembridge
Callahan	Hanby	McNider	Stokes
Cornett	Hardy	Martin	Summerlin
Cox	Harrison	Mathews	Taylor
Crook	Harvey	Mathison	Thomas
Davis	Hawkins	Money	Tyson
Dawkins	Hodges	Murphy	Vacca
deGraffenried	Holliman	Nice	Ward
Dement	Huddleston	Nolen	Wood

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Nays: Messrs. Kirkham, Locke (Perry) and Oakley.

—3

MOTION TO ADJOURN LOST

The motion of Mr. Perry to adjourn until Friday, July 29, 1955, at eleven o'clock A. M. was lost.

Yeas 18; Nays 77.

Yeas:

Messrs.	Harrison	Money	Solomon
Edwards (Jefferson)	Hodges	Nettles	Thomas
Faulk	Kaul	Oakley	Vacca
Hain	Locke (Choctaw)	Perry	Windle
Hardy	Mathison	Pruitt	

—18

Nays:

Messrs.	deGraffenried	Jenkins	Nolen
Adams	Dement	Johnson (Tallapoosa)	Oden
Albea	DeSear	Kelly	Payne
Ashworth	Dickson	Kendall	Ramey
Bassett	Edwards (Escambia)	Killough	Reynolds
Boyd	Ferrell	Kirkham	Richardson
Bradford	Franklin	Lackey	Roberts
Brannan	Gilchrist	Law	Selman
Branyon	Gist	Lee (Lawrence)	Shumate
Brassell	Goodwyn	Locke (Perry)	Simon
Brewer	Gregory	Love	Speaks
Broadfoot	Grouby	McClendon	Steagall
Brown (Lamar)	Hall	McKay	Stembridge
Brown (Lee)	Haltom	McLendon	Stokes
Burkhalter	Hanby	McNider	Summerlin
Cornett	Harvey	Martin	Taylor
Cox	Hawkins	Mathews	Tyson
Crook	Holliman	Murphy	Ward
Davis	Huddleston	Nice	Wood
Dawkins	Hunt		

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BILLS ON THIRD READING RESUMED

H. 470. To provide for the construction, maintenance, and operation of five additional trade schools.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 7.

Yeas:

Messrs.	Broadfoot	Dawkins	Gilchrist
Adams	Brooks	deGraffenried	Gist
Ashworth	Brown (Lamar)	Dement	Goodwyn
Bassett	Brown (Lee)	DeSear	Gregory
Boyd	Burkhalter	Dickson	Grouby
Bradford	Callahan	Edwards (Escambia)	Hall
Brannan	Cornett	Edwards (Jefferson)	Haltom
Branyon	Cox	Faulk	Hanby
Brassell	Crook	Ferrell	Harrison
Brewer	Davis	Franklin	Harvey

Hawkins	Lee (Lawrence)	Nettles	Shumate
Hodges	Locke (Choctaw)	Nice	Solomon
Holliman	Locke (Perry)	Nolen	Speaks
Huddleston	Love	Oakley	Steagall
Hunt	McClendon	Oden	Stembridge
Jenkins	McKay	Payne	Stokes
Johnson (Elmore)	McLendon	Pruitt	Summerlin
Johnson (Tallapoosa)	McNider	Ramey	Thomas
Kelly	Martin	Reynolds	Tyson
Kirkham	Mathews	Richardson	Vacca
Lackey	Mathison	Roberts	Ward
Law	Money	Selman	Wood
Lee (Barbour)			

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Nays:

Messrs.	Kendall	Murphy	Simon
Kaul	Killough	Perry	Taylor

—7

MOTION ADOPTED

The motion of Mr. Dawkins to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 300, was adopted.

And the bill:

H. 300. Relating to the education of exceptional children; providing that county and city boards of education may provide education for exceptional children; authorizing the State Board of Education on the recommendation of the State Superintendent of Education to establish rules and regulations relating to allocation of state funds, certification of teachers, size of classes, eligibility of pupils to receive instruction, training and experience required for professional personnel other than teachers, and other regulations which are necessary to the effective operation of an educational program for exceptional children; authorizing the employment of qualified supervisory personnel in the State Department of Education; authorizing the expenditure of Minimum Program funds and local school funds for the education of exceptional children beginning with the age of three years; repealing all laws and parts of laws in conflict with this Act.

Was taken up.

The motion of Mr. Dawkins to postpone further consideration of the bill, H. 300, until the next legislative day without losing its place on the Special Order Calendar, was adopted.

And the bill:

H. 617 (with amendment). To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance for school building purposes of not exceeding \$150,000,000 principal amount of general obligation bonds of the State of Alabama additionally secured by a pledge of certain state taxes.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

WAYS & MEANS COMMITTEE AMENDMENT TO HOUSE
BILL NO. 617

Amend House Bill No. 617 by striking therefrom in the Title of said bill the figures "\$150,000,000" and inserting in lieu thereof the figures "\$100,000,000" and by striking therefrom in Section 1 of said House Bill No. 617 the figures "\$150,000,000 and inserting in lieu thereof the figures "\$100,000,000" and by striking therefrom in Section 1 of said bill the words "eighty-four per centum (84%)" and inserting in lieu thereof "eighty-three and twenty-five hundredths per centum (83.25%)" and by striking therefrom in Section 1 of said bill the words "three per centum (3%)" and inserting in lieu thereof "three and seventy-five hundredths per centum (3.75%)".

And the amendment was adopted.

Yeas 98; Nays 0.

Yeas:

Messrs.	Dickson	Johnson (Tallapoosa)	Payne
Adams	Edwards (Escambia)	Kaul	Perry
Albea	Edwards (Jefferson)	Kelly	Pirkle
Ashworth	Faulk	Kendall	Pruitt
Bassett	Ferrell	Killough	Ramey
Boyd	Franklin	Kirkham	Reynolds
Bradford	Gilchrist	Lackey	Richardson
Brannan	Gist	Law	Roberts
Branyon	Goodwyn	Lee (Barbour)	Selman
Brassell	Gregory	Lee (Lawrence)	Shumate
Brewer	Grouby	Locke (Choctaw)	Sinon
Broadfoot	Hain	Locke (Perry)	Solomon
Brooks	Hall	McClendon	Speaks
Brown (Lamar)	Haltom	McKay	Steagall
Brown (Lee)	Hanby	McLendon	Stembridge
Burkhalter	Hardy	McNider	Stokes
Callahan	Harrison	Mathews	Summerlin
Cornett	Harvey	Mathison	Taylor
Cox	Hawkins	Money	Thomas
Crook	Hodges	Murphy	Tyson
Davis	Holliman	Nettles	Vacca
Dawkins	Huddleston	Nice	Ward
deGraffenried	Hunt	Nolen	Windle
Dement	Jenkins	Oakley	Wood
DeSear	Johnson (Elmore)	Oden	

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And said bill, H. 617, as thus amended, was read a third time at length and passed.

Yeas 91; Nays 4.

Yeas:

Messrs.	Branyon	Callahan	DeSear
Adams	Brassell	Cornett	Dickson
Albea	Brewer	Cox	Edwards (Escambia)
Ashworth	Broadfoot	Crook	Edwards (Jefferson)
Bassett	Brooks	Davis	Ferrell
Boyd	Brown (Lamar)	Dawkins	Franklin
Bradford	Brown (Lee)	deGraffenried	Gilchrist
Brannan	Burkhalter	Dement	Gist

Goodwyn	Jenkins	McLendon	Richardson
Gregory	Johnson (Elmore)	McNider	Roberts
Grouby	Johnson (Tallapoosa)	Mathews	Selman
Hain	Kelly	Mathison	Shumate
Hall	Kendall	Money	Solomon
Haltom	Killough	Nettles	Speaks
Hanby	Kirkham	Nice	Steagall
Hardy	Lackey	Nolen	Stembridge
Harrison	Law	Oden	Stokes
Harvey	Lee (Barbour)	Payne	Summerlin
Hawkins	Lee (Lawrence)	Perry	Taylor
Hodges	Locke (Choctaw)	Pirkle	Thomas
Holliman	Locke (Perry)	Pruitt	Vacca
Huddleston	McClendon	Ramey	Ward
Hunt	McKay	Reynolds	Wood

—91

Nays: Messrs. Murphy, Simon, Tyson and Windle.

—4

RESOLUTION

The following resolution was introduced:

By Messrs. Kendall, Dawkins, Brannan, Summerlin, Harrison, Stokes, Lee (Barbour), Fite and Goodwyn:

H. J. R. 56. WHEREAS the appropriations from the Alabama Special Educational Trust Fund contemplate little if any additional pay for the non-teaching and non-supervisory and the non-administrative personnel of our educational system and

WHEREAS it is impossible for the Legislature to earmark additional pay for these categories that are presently woefully underpaid and

WHEREAS the Legislature of Alabama contemplates a greatly expanded educational program with large new burdens on the taxpayers of Alabama

BE IT RESOLVED by the House, the Senate concurring, that the State Department of Education, all City and all County Boards of Education be notified that it is the express wish and intent of the Legislature of Alabama that the personnel affected by this Resolution be given a raise of at least 15% or more if funds are available.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the State Superintendent of Education and to all City and County Boards of Education.

On motion of Mr. Kendall the rules were suspended and H. J. R. 56 was adopted.

BILLS ON THIRD READING RESUMED

The motion of Mr. Murphy to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 742, was adopted.

And the bill:

H. 742. To designate the tarpon as the official Salt Water Fish of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Messrs.	DeSear	Johnson (Tallapoosa)	Oden
Adams	Dickson	Kaul	Payne
Albea	Edwards (Escambia)	Kelly	Perry
Ashworth	Edwards (Jefferson)	Killough	Pirkle
Bassett	Faulk	Kirkham	Pruitt
Boyd	Ferrell	Lackey	Reynolds
Bradford	Franklin	Law	Richardson
Brannan	Gilchrist	Lee (Barbour)	Roberts
Branyon	Gist	Love	Selman
Brassell	Goodwyn	McClendon	Shumate
Brewer	Gregory	McKay	Simon
Broadfoot	Grouby	McLendon	Solomon
Brooks	Hain	McNider	Speaks
Brown (Lamar)	Hall	Martin	Steagall
Brown (Lee)	Halton	Mathews	Stembridge
Burkhalter	Hanby	Mathison	Stokes
Callahan	Harrison	Meeks	Summerlin
Cornett	Harvey	Money	Taylor
Cox	Hodges	Murphy	Thomas
Crook	Holliman	Nettles	Tyson
Davis	Huddleston	Nice	Vacca
Dawkins	Jenkins	Nolen	Windle
deGraffenried	Johnson (Elmore)	Oakley	Wood
Dement			

—92

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Van Antwerp:

S. 230. To provide further for promoting, developing, constructing, maintaining, and operating harbors and ports within the State; to define and prescribe further the jurisdiction, powers, and authority of the state docks department.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 230. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Vann, Eddins, Calvin, Smith, Engelhardt, Moses, Jones, Robinson, Allen, Dyar, Metcalf and Davis (Pickens):

S. 130. To provide for a statewide reidentification of all registered voters, and for the removal of the names of those now required by law

to be stricken from the lists of registered voters; to provide for the supplies needed by boards of registrars for carrying out a reidentification; to provide for the keeping of current voter files in the future; and to provide penalties for violations of the Act.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 130. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. 33. To authorize the Governor, the Director of Finance, and the Attorney General to become a public corporation for the purpose of acquiring land from the State or otherwise upon which it shall, at a cost not to exceed five million dollars, construct, operate and maintain, or cause to be constructed, operated and maintained, an office building or buildings, the space therein to be rented to officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to provide for the lease to and by officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States of space for occupancy in said building or buildings; and to provide that any properties of the corporation and the income therefrom and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities.

And the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Robison, Boutwell and Van Antwerp.

J. E. SPEIGHT,
Secretary.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolution hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:25 A.M. On July 22, 1955

H. 231

H. 397

H. 410

H. 411

H. 412

H. 413

H. 485

H. 510

H. 511

H. 540

H. 541

H. 543

H. 544

H. 546

H. 547

H. 548

H. 549

H. 551

H. 552

H. 559

H. 580

H. 588

H. 593

H. 596

H. 600

H. 606

H. 609

H. 629

H. 630

H. 631

H. 632

H. 634

H. 652

H. J. R. 54

Delivered to the Secretary of State at 10:30 A.M. On July 22, 1955

H. 19
H. 24
H. 545
H. 636

R. T. GOODWYN, JR.,
Clerk.

CERTIFICATE OF CLERK

The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hours named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 12:15 P.M. On July 26, 1955

H. 296

H. 455

Delivered to the Governor at 3:20 P.M. On July 26, 1955

H. 232

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

On motion of Mr. Money the House adjourned until Friday, July 29, 1955, at ten o'clock A.M.

TWENTY-SIXTH DAY

House of Representatives
Montgomery, Alabama
Friday, July 29, 1955

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Thomas R. Thrasher, Rector, Church of Ascension, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Messrs.	Burkhalter	Edwards (Jefferson)	Hanby
Albea	Callahan	Faulk	Hardy
Ashworth	Cornett	Ferrell	Hare
Bassett	Cox	Franklin	Harrison
Boyd	Crook	Gilchrist	Harvey
Bradford	Davis	Gist	Hawkins
Branyon	Dawkins	Goodwyn	Hodges
Brassell	deGraffenried	Gregory	Holliman
Broadfoot	Dement	Grouby	Huddleston
Brooks	DeSear	Hain	Hunt
Brown (Lamar)	Dickson	Hall	Jenkins
Brown (Lee)	Edwards (Escambia)	Haltom	Johnson (Elmore)

Johnson (Tallapoosa)	McClendon	Oakley	Solomon
Kaul	McKay	Oden	Speaks
Kelly	McLendon	Payne	Steagall
Kendall	McNider	Perry	Stembridge
Killough	Martin	Pirkle	Stokes
Kirkham	Mathews	Pruitt	Summerlin
Lackey	Mathison	Ramey	Taylor
Law	Meeks	Reynolds	Thomas
Lee (Barbour)	Molette	Richardson	Tyson
Lee (Lawrence)	Money	Roberts	Vacca
Locke (Choctaw)	Nettles	Selman	Ward
Locke (Perry)	Nice	Shumate	Windle
Love	Nolen	Simon	Wood

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-fifth legislative day and finds the same to be correct.

GEORGE C. HAWKINS,
Vice-Chairman.

On motion of Mr. Dawkins, the reading at length of the Journal of the House for the twenty fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the twenty-fifth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 653. Relating to Wilcox County: To amend further Act No. 436, S. 397, approved September 13, 1939 (Local Acts of 1939, p. 261), an Act which provided further for the duties, power, authority, and compensation of the members of the Court of County Commissioners of Wilcox County.

J. E. SPEIGHT,
Secretary.

H. 757 RE-REFERRED

The motion of Mr. Brassell to re-refer the bill,

H. 757. To amend Title 55, Chapter 7, Article 1, of the Code of Alabama of 1940, as amended, by repealing all of Article 1, of the said Title 55, Chapter 7, and substituting in lieu thereof a new Article 1, which shall read as follows: Title 55, Chapter 7, Article 1.

was adopted.

And the Speaker Pro Tem re-referred the bill, H. 757, to the Standing Committee on State Administration.

MESSAGE FROM THE SENATE

Mr. Speaker Pro Tem:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution your signature thereto is requested:

S. J. R. 52. Relative to naming S. B. 155 & S. B. 174.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker Pro Tem of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title to which is set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

By Messrs. Hawkins, Dawkins, Hall, Harrison, Gist, Speaks, Oden, Gregory, Hanby, Goodwyn, Nolen, Fite:

H. 617. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance for school building purposes of not exceeding \$100,000,000 principal amount of general obligation bonds of the State of Alabama additionally secured by a pledge of certain state taxes.

GEORGE C. HAWKINS,
Vice-Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 653. Relating to Wilcox County: To amend further Act No. 436, S. 397, approved September 13, 1939 (Local Acts of 1939, p. 261), an Act which provided further for the duties, power, authority, and compensation of the members of the Court of County Commissioners of Wilcox County.

And finds same correctly enrolled.

GEORGE C. HAWKINS,
Vice-Chairman.

SIGNING OF BILL

The Speaker Pro Tem of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title to which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill:

H. 30. Relating to state government administration; creating a State Banking Department, and defining its powers and duties; transferring to the department the administration of the laws relating to banks and banking, credit unions, savings and loan associations, and the small-loan business; transferring to the department the bureau of banking, the bureau of savings and loan, and the bureau of loans of the department of commerce, and the personnel, funds, equipment, and supplies of such bureaus; providing for a Superintendent of Banks and Savings and Loan Commissioner as head of the State Banking Department; prescribing his salary, qualifications, and duties; and abolishing the Department of Commerce and the office of Director of Commerce.

And said Bill, as thus amended by the report of the Committee on Conference, was again read at length and passed.

And said Bill, together with the report of the Committee on Conference, is herewith returned to the House.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE GOVERNOR

To the House of Representatives

State Capitol
Montgomery, Alabama
Gentlemen:

I am transmitting to you a message from the Governor relative to House Bill No. 397.

Respectfully submitted,

O. H. FINNEY, JR.,
Executive Secretary.

JULY 29, 1955

To The House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 397, with a suggested executive amendment, as follows:

Amend said House Bill No. 397 by striking therefrom Section 5 in its entirety and substituting in lieu thereof Section 5 to read as follows:

"Section 5. This Act shall become effective on the first day of the second month after its passage and approval by the Governor."

The suggested amendment is made with the full knowledge and approval and at the request of the author of said bill, and if adopted will remove my objection to the bill.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 397, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 85; Nays 0.

Yeas:

Messrs.	Ferrell	Kelly	Oakley
Albea	Franklin	Killough	Oden
Ashworth	Gilchrist	Lackey	Payne
Boyd	Gist	Law	Perry
Bradford	Goodwyn	Lee (Barbour)	Pruitt
Branyon	Gregory	Lee (Lawrence)	Ramey
Broadfoot	Grouby	Locke (Choctaw)	Reynolds
Brooks	Hain	Locke (Perry)	Richardson
Brown (Lamar)	Hall	Love	Roberts
Brown (Lee)	Haltom	McClendon	Shumate
Burkhalter	Hanby	McKay	Simon
Callahan	Hardy	McLendon	Solomon
Cornett	Hare	McNider	Speaks
Cox	Harrison	Martin	Steagall
Crook	Harvey	Mathews	Stokes
Davis	Hawkins	Mathison	Summerlin
Dement	Hodges	Molette	Taylor
DeSear	Hunt	Money	Thomas
Dickson	Jenkins	Nettles	Vacca
Edwards (Escambia)	Johnson (Elmore)	Nice	Ward
Edwards (Jefferson)	Johnson (Tallapoosa)	Nolen	Windle
Faulk	Kaul		

—85

Which was a majority of the whole number elected to the House.

And said bill:

H. 397. Relating to Franklin County: to levy and impose additional privilege license and excise taxes for school purposes paralleling the state sales and use taxes as prescribed in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended; to provide for the collection of such taxes by the State Department of Revenue; to provide for the distribution of the proceeds thereof; and to provide for the enforcement of this Act.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 83; Nays 0.

Yeas:

Messrs.	Burkhalter	Edwards (Jefferson)	Hanby
Albea	Callahan	Faulk	Hardy
Ashworth	Cornett	Ferrell	Harrison
Boyd	Cox	Franklin	Harvey
Bradford	Crook	Gilchrist	Hawkins
Branyon	Davis	Gist	Hodges
Brassell	Dement	Gregory	Holliman
Broadfoot	DeSear	Grouby	Huddleston
Brooks	Dickson	Hain	Hunt
Brown (Lamar)	Edwards (Escambia)	Haltom	Jenkins

Johnson (Elmore)	McClendon	Nolen	Shumate
Johnson (Tallapoosa)	McKay	Oakley	Simon
Kelly	McLendon	Oden	Solomon
Killough	McNider	Payne	Speaks
Lackey	Martin	Perry	Steagall
Law	Mathews	Pruitt	Stokes
Lee (Barbour)	Mathison	Ramey	Summerlin
Lee (Lawrence)	Molette	Reynolds	Taylor
Locke (Choctaw)	Money	Richardson	Thomas
Locke (Perry)	Nettles	Roberts	Vacca
Love	Nice	Selman	Ward

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Which was a majority of the whole number elected to the House.

REPORT OF CONFERENCE COMMITTEE

To The Speaker of The House

To The President of The Senate

We, your conference committee appointed on the disagreement of the House and Senate on the Senate Amendment to House Bill No. 33 be leave to report as follows:

1. That the House concur in the Senate Amendment to said House Bill.

2. That said House Bill No. 33 be further amended, by striking the words and figures three million dollars (\$3,000,000.00) where same appear in the caption and body of said bill and substituting therefor the words and figures four million dollars (\$4,000,000.00) in the caption and body of said bill.

V. H. ROBISON

GARY VAN ANTWERP

ALBERT BOUTWELL

Conferees on the part of the Senate

JOE M. DAWKINS

CHARLES T. MATHEWS

B. M. MATHISON, JR.

Conferees on the part of the House

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Dawkins, the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 33, said report being set out in the above and foregoing Report of the Committee of Conference.

Yeas 79; Nays 3.

Yeas:

Messrs.	Burkhalter	Dickson	Haltom
Ashworth	Callahan	Edwards (Escambia)	Hanby
Boyd	Cornett	Edwards (Jefferson)	Hardy
Bradford	Cox	Ferrell	Hare
Branyon	Crook	Franklin	Harrison
Brassell	Davis	Gilchrist	Harvey
Broadfoot	Dawkins	Gist	Hawkins
Brooks	deGraffenried	Gregory	Hodges
Brown (Lamar)	Dement	Grouby	Holliman
Brown (Lee)	DeSear	Hain	Huddleston

Hunt	Locke (Choctaw)	Nolen	Solomon
Jenkins	McClendon	Oden	Speaks
Johnson (Elmore)	McLendon	Payne	Steagall
Johnson (Tallapoosa)	McNider	Pirkle	Stokes
Kelly	Martin	Ramey	Summerlin
Killough	Mathews	Reynolds	Taylor
Lackey	Mathison	Richardson	Thomas
Law	Molette	Selman	Tyson
Lee (Barbour)	Money	Shumate	Vacca
Lee (Lawrence)	Nice	Simon	Ward

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Nays: Messrs. Kirkham, Nettles and Oakley.

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And said bill:

H. 33. To authorize the Governor, the Director of Finance, and the Attorney General to become a public corporation for the purpose of acquiring land from the State or otherwise upon which it shall, at a cost not to exceed five million dollars, construct, operate and maintain, or cause to be constructed, operated and maintained, an office building or buildings, the space therein to be rented to officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to provide for the lease to and by officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States of space for occupancy in said building or buildings; and to provide that any properties of the corporation and the income therefrom and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities.

As amended by the Report of the Committee of Conference, was again read at length and passed.

Yeas 79; Nays 0.

Yeas:

Messrs.	Cox	Gist	Hodges
Albea	Crook	Gregory	Holliman
Ashworth	Dawkins	Grouby	Huddleston
Boyd	deGraffenried	Hain	Hunt
Bradford	Dement	Hall	Jenkins
Branyon	DeSear	Haltom	Johnson (Tallapoosa)
Broadfoot	Dickson	Hanby	Kelly
Brooks	Edwards (Escambia)	Hardy	Killough
Brown (Lamar)	Edwards (Jefferson)	Hare	Kirkham
Burkhalter	Faulk	Harrison	Lackey
Callahan	Franklin	Harvey	Law
Cornett	Gilchrist	Hawkins	Lee (Barbour)

Lee (Lawrence)	Molette	Pirkle	Speaks
Locke (Choctaw)	Money	Ramey	Steagall
McClendon	Nettles	Reynolds	Stokes
McLendon	Nice	Richardson	Summerlin
McNider	Nolen	Selman	Thomas
Martin	Oakley	Shumate	Tyson
Mathews	Oden	Simon	Vacca
Mathison	Payne	Solomon	Ward

—79

MOTION IN WRITING

Mr. Roberts offered the following Motion in Writing:

Motion is hereby made to delay, for one legislative day, the Consideration of the House of the matter contained in the notice made on the previous legislative day concerning Committee action on House Bill 605.

And the motion was adopted.

NOTICE IN WRITING

Mr. Dawkins offered the following Notice in Writing:

Notice is hereby given that on the next Legislative day, I will move to have the bill, H. 118 taken from the Adverse Calendar and placed on the Regular Calendar.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 50. Relative to appointing an Interim Committee to be known as the Tax Study Committee.

J. E. SPEIGHT,
Secretary.

BILLS ON SECOND READING

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 130. To provide for a statewide reidentification of all registered voters, and for the removal of the names of those now required by law to be stricken from the lists of registered voters; to provide for the supplies needed by boards of registrars for carrying out a reidentification; to provide for the keeping of current voter files in the future; and to provide penalties for violations of the Act.

S. 105. To amend section 1 of an act entitled "An Act to provide additional supernumerary judges for the state, prescribing their duties and powers, fixing their compensation and tenure of office, and making an appropriation to pay their salaries", approved July 31, 1947, being now codified as Code 1940, Title 13, section 105 (1).

S. 104. To amend section 31 of Title 13 of the 1940 Code of Alabama (relating to supernumerary justices of the supreme court).

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and they were severally read a second time and placed on the Calendar, to-wit:

H. 175 (with substitute). TO AMEND; Section 69 of Article 2 of Chapter 2 of Title 61 of the Code of Alabama of 1940.

H. 260 (with substitute). To require the driver of any vehicle which strikes any domesticated animal to stop and render aid to such animal, to notify the owner thereof and to provide penalties for the violation of this act.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 562. To fix the salary of the stenographic secretary to the Circuit Solicitor of the Sixth Judicial Circuit of Alabama.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 626 (with amendment). Relating to the management of public records of the state, or any political subdivision thereof; providing for the photographing or microphotographing of public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers, and for the defrayment of the cost incurred for the purchase or lease of photographic or microphotographic equipment; and creating a state records commission and a county records commission to regulate the destruction or disposal of public records.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 661. To permit an infant to hold stock or other securities in corporations, to exercise rights relating thereto, including the transfer of the same, and to protect corporations relying upon such action without actual notice of the infancy, and to permit infants to receive dividends on stock or other securities in corporations and to give complete acquittance and release therefor.

H. 666. To amend Section 199 of Title 7, Code of Alabama (1940). which provides for the service of process on nonresident owner or operator of a motor vehicle through the Secretary of State.

H. 667. TO AMEND: Section 90 of Article 2 of Chapter 2 Title 61 of the Code of Alabama of 1940.

H. 669. To amend Section 151, Title 14, Code of Alabama 1940.

H. 670. To amend Sections 5, 6, 7 and 8 of Act No. 981, General Acts 1951, page 1655, entitled "An Act relating to criminal sexual psychopathic persons; providing for the commitment and treatment of such persons after their conviction of a sex offense, and prescribing the pro-

cedure therefor; and providing for the further disposition of such persons."

H. 671. To create a revolving fund in the Board of Corrections; to establish the amount of such fund; to authorize the Comptroller to issue warrants to establish and maintain said fund and to provide for the expenditures from such fund.

H. 690. Proposing an amendment to the Constitution of Alabama relating to the right to trial by jury; providing for a three-fourth verdict in civil cases.

The above bill was read a second time at length as required by the Constitution.

H. 431. To establish the right of injunction against any person unlawfully engaged in the practice of a profession; to set out the professions to which this Act shall be applicable; to provide what persons may maintain the act or bill for injunction provided herein; to provide that this right of injunction shall be preventive and in addition to the remedies or punishments provided by law, and to provide for the effective date of this legislation.

H. 793. To amend Section 178 of Title 13, Code of Alabama 1940, providing for the reimbursement for reasonable expenses while in attendance upon courts outside of their home county of circuit judges in circuits of more than one county, and to provide the manner of payment.

H. 768. To re-divide the State into judicial circuits to create the thirty-third judicial circuit, and to provide for a judge and solicitor of the newly-created circuit.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 806 (with amendment). To amend further Section 380 of Title 13, Code of Alabama (1940), which relates to the appointment and compensation of clerks of juvenile courts in certain counties.

Mr. Brassell Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 794. To amend further Section 201 of Title 15, Code of Alabama (1940), which relates to qualifications to bail.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 728 (with amendment). To authorize the issuance of not exceeding \$100,000,000 principal amount of general obligation bonds of the State of Alabama, additionally secured by a pledge of certain state taxes, for the purpose of financing the construction, improvement and equipment of school and college buildings, and acquiring sites therefore; to specify the effect of such pledge; to create a sinking fund for payment of said bonds; to exempt said bonds and the interest thereon from taxation; and to make provision for the terms, specifications, execution, sale and issuance of said bonds and disposition of the proceeds thereof.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 689. To amend Section 2 of the Alabama mileage tax act, designated as Act No. 664, H. 791, General Acts of Alabama of 1939, approved July 5, 1940 (General Acts of Alabama, 1939, page 1051 et seq.) and said Act as amended, by providing in Section 2 of said Act, *supra*, that the increase of one-third cent per mile, per axle, with respect to the operation of a vehicle, where the owner of such vehicle elects to operate the same in any other state under the provisions of any reciprocal contract or agreement, shall apply as to the operation of said vehicle for the duration of the tax and calendar month involved and also where such motor vehicle is licensed in the State of Alabama and also by including within the scope of said tax the operators of all motor vehicles transporting passengers or property on the highways of this state which are not specifically included within the exemptions contained in said motor carrier act.

H. 789. To authorize the State Treasurer to make or to have made photographic reproductions of books, records, papers, documents and warrants required to be maintained or kept by the office of State Treasurer; to regulate the disposal of such books, records, papers, documents or warrants so photographed; to provide that such photographs shall be retained in lieu of such documents; to provide that such photographic reproductions shall have the force and effect of the document itself; and to provide for the admission as evidence of duly certified photostatic copies or other copies of the original microfilm, photostat, or other similar photographs.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 678 (with amendment). To appropriate for the relief of Robert Lee Johnson the sum of \$2,000.00 out of any funds in the State Treasury to the credit of the Alabama Board of Corrections as compensation for partial permanent disability incurred by him as a result of injuries received in an accident at Atmore Prison Farm on August 10, 1950 while an inmate thereof without fault on his part.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar to-wit:

H. 774. To make an appropriation for the restoration of the interior of the building located in Greensboro, Alabama, which formerly housed the now extinct Southern University, and to create a committee to administer the appropriation under the supervision and control of the Governor.

H. 43. To provide further for the distribution of the proceeds of certain state and county licenses.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report,

with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 166 (with substitute). To create and establish a State Fire College, to provide for an Advisory Committee, an annual training session, and appropriations for carrying out the provisions of the Act.

Mr. Hawkins Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 592. To fix the salaries of the Fourth, Fifth and Sixth Deputy Circuit Solicitors of the Tenth Judicial Circuit of Alabama payable by the State.

H. 805. To amend Section 3 of Act No. 169, General Acts of Alabama 1945 (General Acts 1945, page 286, Section 3, effective August 22, 1945), and said Act as amended, by providing under sub-section (1) of said section that the measure of the tax on pine lumber shall be twenty cents per thousand feet board measure lumber tally, and that the measure of the tax on hardwoods and other species of lumber described in sub-section (2) of said section shall be eight cents per thousand feet board measure lumber tally, and that subsections (7) and (8) shall be amended to provide that the levy in each instance shall be on invoice value at the loading out point and that such levy shall be based on the amount paid at the stump.

H. 663. For the relief of Luther Skinner Printing Company, a partnership composed of Luther Skinner, & Amos Wilson, of Montgomery County, Alabama, by appropriating \$5,000.00 as compensation for breach of contract made and entered into with the State of Alabama on or about, to-wit, the 5th day of September, 1952;

H. 334. To make an appropriation of Nine Thousand Five Hundred Dollars (\$9,500.00) from monies in the State Treasury not otherwise appropriated to be used for control and eradication of the White Fringed Beetle.

S. 8. To amend further Section 15 of Title 30, Code of Alabama (1940), which relates to the remuneration of clerks of jury commissions, raising the per diem of such clerks from five to ten dollars a day.

H. 803. To amend further Section 15 of Title 30, Code of Alabama (1940), as amended, which relates to the remuneration of the clerk of the jury commission.

S. 188. To regulate further the office of circuit solicitor of the Fourth Judicial Circuit of Alabama: Creating a solicitor's fund for the use of the circuit solicitor.

H. 187. To Make an Appropriation for the Restoration and Renovation of the Gorgas Home.

H. 784. To amend Section 261, Title 8 of the 1940 Code of Alabama pertaining to charges for administering real estate.

H. 726. Authorizing, directing and requiring every city and county board of education, the state board of education, and the governing boards of the University of Alabama, the Alabama Polytechnic Institute and Alabama College to employ, upon application, such retired teachers; providing for the duties and compensation of such teachers; providing for participation in the federal old age and survivors insur-

ance program by such teachers; and making an appropriation out of the special educational trust fund for the purpose of reimbursing the appointing boards for the cost of employing such teachers.

Mr. Branyon Chairman of the Standing Committee on Constitution and Elections reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time apnd placed on the Calendar, to-wit:

H. 717. To amend Section 363 of Title 17 of the Code of Alabama (1940), which prescribes the procedure to be followed after the polls have closed relative to the official lists of voters, the certificate of the result of the election and the retention and final disposition of ballots.

H. 722. To revise Article 6 of Title 17, Code of Alabama (1940) by amending Sections 77, 80, 81, 84, and 89, thereof which relate to election precincts and districts and polling places therein, and repealing Section 79 thereof, which limits the number of voters in a district.

H. 723. To amend Section 366 of Title 17, Code of Alabama (1940) which provides for the tabulation and declaration of results of primary elections and provides for a second primary in the event that no candidate for office receives a majority of the votes cast for such office.

H. 721. Relating to elections; providing that in every primary, general, or municipal election in which candidates are to be nominated or elected to two or more offices in the same classification, the candidates shall be elected by places designated by number.

H. 691. To amend Section 161 of Title 17 of the Code of Alabama (1940), which prescribes the manner of voting for candidates for offices omitted from a party ticket when the voter marks his ballot in the circle for a straight ticket, so as to eliminate the provision which authorizes voting for a person whose name is not on the ballot.

H. 696. To amend Section 193 of Title 17 of the Code of Alabama (1940), which prescribes the manner of counting votes, so as to eliminate therefrom the provision relative to votes for persons whose names are not printed on the ballots,

H. 718. To amend Section 154 of Title 17, Code of Alabama (1940), which prescribes the style and manner of printing ballots, to eliminate therefrom provisions for the blank column to be used for "write-in" votes.

H. 719. To repeal Sections 108 and 162 of Title 17, Code of Alabama (1940) which, respectively, prescribe the manner in which a voter may vote for persons whose names do not appear on the ballots when voting machines and when paper ballots are used.

H. 720. To amend Section 155 of Title 17 of the Code of Alabama (1940) which relates to ballots for independent candidates, to eliminate the provision authorizing "write-in" votes.

H. 695. To amend Section 114 of Title 17 of the Code of Alabama (1940) which relates to the preservation of ballots and records of voting machines after an election.

S. 35. To propose an amendment to the Constitution of Alabama relative to the authorization of additional taxes on the taxable property within each school district in each county of the State of Alabama for public school purposes.

The above bill was read a second time at length as required by the Constitution.

H. 767. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide additional compensation for county superintendents of education and members of county boards of education for the performance of new and additional duties imposed on them by laws relating to the placement and assignment of pupils to schools.

The above bill was read a second time at length as required by the Constitution.

Mr. Brown (Lee) Chairman of the Standing Committee on Transportation reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 488 (with amendment). To provide for the construction of rural mailbox turnouts on Alabama highways.

Mr. Adams Chairman of the Standing Committee on Local Government reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 339. To amend Section 363 of Title 37 of the Code of Alabama of 1940, as heretofore amended, so as to authorize specifically any municipality in the state to construct, purchase, operate, maintain, enlarge, extend and improve a water supply plant and system, or any part or parts thereof, whether located within or without or partly within and partly without the corporate limits of such municipality, to authorize the delivery and sale of water therefrom, and to provide that any municipality in the state may lawfully expend funds for any actions authorized to be taken by it in said section.

H. 685. To amend Section 211 of Title 41, Code of Alabama (1940) which relates to contracts between county officers and the county.

S. 106. To repeal Section 44 of Title 41, Code of Alabama (1940), which makes the official bond of certain county officers a lien on the property of such officers.

Mr. Murphy Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 763. To amend further Act No. 445, H. 858, approved September 23, 1947 (Local Acts of 1947, p. 303), which established the Court of Common Pleas of Autauga County.

Mr. Bassett Vice-Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 770. Relating to Colbert County: To authorize the coroner to appoint a clerk, whose compensation shall be paid by the court of county commissioners, board of revenue, or like governing body of the

county, out of any funds in the county treasury not otherwise appropriated.

H. 771. Proposing an amendment of the Constitution of Alabama, as amended, relating to the powers of municipalities in Fayette County.

The above bill was read a second time at length as required by the Constitution.

H. 776. To designate by number the various places upon the City Council of the City of Scottsboro, Alabama, fix their terms of office and provide for their election.

H. 781. To provide for the election of a county superintendent of education of Lawrence County; to fix his term of office; to prescribe his salary and expenses, and the manner of payment; to define his qualifications, powers, and duties; and to provide for the election of his successors in office.

H. 785. To propose an amendment to the Constitution of Alabama, relative to the imposition of an additional county tax on taxable property in Limestone County.

The above bill was read a second time at length as required by the Constitution.

H. 795. To alter, rearrange, and extend the boundary line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

H. 783. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special ad valorem tax for public school purposes in the City of Auburn.

The above bill was read a second time at length as required by the Constitution.

H. 796. To apply only in those Counties having a population of not less than 94,000 nor more than 134,000, according to the latest or any subsequent Federal Decennial Census and to provide further for the disposition of the proceeds of the sale of contraband or forfeited property and the distribution and disposition of the funds realized from such sales.

H. 798. To apply in all counties having a population of not less than 63,500 nor more than 72,500 inhabitants, according to the last or any subsequent federal decennial census: Fixing the compensation of jury commissioners in all such counties.

H. 799. Proposing an amendment of the Constitution of Alabama relating to Cullman County.

The above bill was read a second time at length as required by the Constitution.

H. 800. Relating to Franklin County: To repeal Act No. 5 of the General Assembly of Alabama, Session of 1869-70, approved December 9, 1879, be and the same is hereby repealed.

H. 801. Relating to Franklin County: To repeal Act No. 337 of the General Assembly of Alabama Session of 1869-70, approved March 3, 1870.

H. 802. Relating to the construction, maintenance and repair of the county roads and bridges of Winston County; providing that such roads and bridges shall be constructed, maintained and repaired by the

State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials, to the State Highway Department of all funds, including Winston County's proportionate share of the State gasoline tax, state motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws; and abolishing the Highway Board of Winston County created by Act No. 333, H. 815, September 5, 1939 (Local Acts of the 1939 Regular Session, p. 221).

Mr. Murphy Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 787. Authorizing state banks situated in counties having a population of not less than 225,000 nor more than 400,000 inhabitants according to the last or subsequent federal decennial census, to establish, maintain and operate branch banks, branch offices, or other places of business within such county in which the principal place of business of the bank is situated, by and with the approval of the superintendent of banks.

Mr. Meeks Chairman of the Standing Committee on Local Legislation No. 2 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 782. Proposing an amendment to the Constitution of Alabama relative to the filling of vacancies in the office of judge of the circuit court in Jefferson County.

The above bill was read a second time at length as required by the Constitution.

H. 777. To provide for the relief of Evelyn Louise Brewer, out of the General Funds of Jefferson County, Alabama.

Mr. Oden Chairman of the Standing Committee on Military Affairs reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 231. To make an appropriation of ten thousand dollars to the Military Department for the purpose of removing and preserving certain World War II selective service records.

Mr. Oden Chairman of the Standing Committee on Military Affairs reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 193. To provide for the issuance of distinctive motor vehicle license plates or tags to members of the National Guard and Air National Guard of Alabama upon the payment of an additional sum of \$1.00 for use by such persons upon their personally-owned, private, passenger vehicles in lieu of the standard license plate or tag now required; and for the use of such distinctive plates by the State Military Department.

BILL ADVERSELY REPORTED

Mr. Oden Chairman of the Standing Committee on Business and Labor reported that said Committee in session had acted on the following

bill and ordered same returned to the House with an adverse report, and it was read a second time and placed on the Adverse Calendar, to-wit:

H. 118 (with an adverse report). To repeal Act No. 430, H. 222, approved August 28, 1953 (Acts of Alabama, 1953, p. 535), entitled "An Act To provide that the right of a person to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization, and to prohibit agreements or combinations requiring membership in a labor union or labor organization as a condition of employment or continuation of employment, and to provide for rights and remedies with reference thereto."

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Burkhalter (with notice and proof):

H. 808. Relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including Cherokee County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof 808:

LEGAL NOTICES

NOTICE OF INTENTION TO APPLY FOR ADOPTION OF LOCAL BILL

Notice is hereby given of intention to apply for the adoption of a local bill in the present (1955 regular session) of the Legislature of Alabama, which bill to provide in substance as follows:

A BILL TO BE ENTITLED AN ACT

Relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including Cherokee County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The State Highway Department shall, subject to the provisions and limitations contained in this Act, be responsible for the construction, maintenance and repair of the county roads and bridges in Cherokee County.

Section 2. The County governing body of Cherokee County shall have and exercise only the powers and functions relative to the construction, maintenance and repair of the county roads and bridges as are conferred upon it by this Act, as follows:

(a) To levy road and bridge taxes and to appropriate money for the construction, maintenance and repair of county roads and bridges in the same manner and to the same extent as it may presently do so under the laws of the State;

(b) To borrow money and issue bonds or other evidences of indebtedness, subject to the approval of the State Highway Department, for the purpose of constructing, maintaining and repairing county roads and bridges to the same extent as it may presently do so under the laws of the State;

(c) To exercise, subject to the approval of the State Highway Department the right of eminent domain for the purpose of acquiring right-of-way for the establishment and changing county roads and bridges in the manner presently provided by law.

Section 3. The governing body of Cherokee County shall have no authority;

(a) To employ or discharge or regulate or control in any manner personnel for the construction, maintenance or repair of county roads and bridges;

(b) To contract for or purchase any services, supplies, equipment, machinery or materials used in the construction, maintenance or repair of county roads and bridges.

(c) To pay or order payment to any person, firm or corporation for services rendered or supplies, equipment, machinery or materials provided in the construction, maintenance or repair of county roads or bridges.

Section 4. Upon the effective date of this Act the governing body of Cherokee County and all officials of the county shall transfer and turn over to the State Highway Department, all funds, supplies, equipment, machinery and materials held, owned, leased or controlled by it or them for the construction, maintenance and repair of county roads and bridges. Thereafter, on or before the tenth day of each month, the county treasurer, the county governing body and all other county officials of Cherokee County shall pay over to the State Highway Department all funds collected or received by them as taxes, or otherwise, including the motor vehicle license tax allocated to the county, from any source whatsoever during the preceding month which are designated or to be used for the purpose of constructing, maintaining or repairing county roads or bridges. Such funds shall be maintained separately by the State Highway Department and shall be used by it solely for the purpose of construction, maintenance and repair of county roads and bridges in Cherokee County subject to the provisions of this Act; provided that the provisions of this Act shall have no application to any monies now constituting the Road, Bridge and Building Fund of Cherokee County nor to any amounts hereafter received by such county from the levy for such purposes authorized by Section 215 of the Constitution, and same shall continue to be received, maintained and expended subject to the control and direction of the governing body of such county in the manner authorized by law.

Section 5. Persons employed by Cherokee County for road and bridge work who are in service on the effective date of this Act may be

continued in service by the State Highway Department, in its discretion, until January 1, 1957, without regard to the State's Merit System Act or rules and regulations promulgated under its authority. All other persons employed by the department in the administration of this Act shall be employed subject to the Merit System Law, after January 1, 1957.

Section 6. After the effective date of this Act, the State Highway Department shall pay all of the outstanding financial obligations of Cherokee County which were incurred prior to the adoption of this Act, for the construction, maintenance or repair of county roads and bridges out of the funds to be paid over to the Highway Department under the provisions of Section 4 of this Act. Nothing contained in this Act, however, shall be construed to relieve Cherokee County of the liability for paying any of its financial obligations now existing or hereafter incurred under the provisions of Section 2 (b) hereof in the event the funds paid over to the State Highway Department are insufficient to do so, or to require any of the financial obligations presently existing or hereafter incurred under the provisions of Section 2 (b) hereof of the county to be paid from funds of the Highway Department.

Section 7. The State Highway Department shall construct, maintain and repair the county roads and bridges of Cherokee County from the funds paid over to it pursuant to Section 4 of this Act, and from funds which would otherwise accrue to Cherokee County for road and bridge work from any source not specifically excepted under the terms of this Act. The State Highway Department shall retain, and the appropriate State Officials are authorized to pay over to it, any funds or amounts to which Cherokee County shall be entitled to from the proceeds of the State gasoline tax, the motor vehicle license tax allocated to the county, or any other State tax, and such sums and amounts shall be used in addition to the sums and amounts turned over to the State Highway Department under the provisions of Section 4 of this Act for the construction, maintenance and repair of county roads and bridges in said county. The gasoline tax money, and the proceeds of any other tax to which Cherokee County is entitled, received by the State Highway Department for road work in Cherokee County shall be kept in the separate account referred to in Section 4 of this Act.

Section 8. Any contract for the construction, maintenance and repair of county roads and bridges entered into by Cherokee County prior to the adoption of this Act, shall remain in full force and effect until the terms thereof have been complied with.

Section 9. At the time the governing body of the County transfers to the Department county-owned equipment, machinery and supplies, under the provisions of this Act, an inventory thereof shall be made, a copy to be kept on file by the County and by the Department, and in the event this Act is repealed or becomes inoperative, the department shall return to the County road equipment, machinery, and supplies of like kind and equal value.

Section 10. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 11. The provisions of this Act are hereby declared to be severable in nature and should any Section or other portion thereof be declared unconstitutional or invalid such adjudication shall not affect the portion or portions of said Act remaining.

Section 12. This Act to become effective upon its passage and approval by the Governor or its otherwise becoming a law.

J. B. Burkhalter, Representative
Cherokee County, Alabama.

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, Venice Camp, a Notary Public in and for said county in said state, personally appeared Joe Shaw, Jr. who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the Town of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and complete copy of Notice of intention to apply for adoption of local bill as published in said newspaper once a week for four consecutive weeks, beginning on the sixth day of July, 1955, that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said town and county; and that said newspaper has been entered as second class mail matter in the United States Post Office in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

JOE SHAW, JR.

Sworn to and subscribed before me this 28th day of July, 1955.

VENICE CAMP,
Notary Public.

By Mr. Stokes:

H. 809. Relating to counties having a population of not less than 30,700 nor more than 31,400 inhabitants according to the last or any subsequent decennial census of the United States; and having two court houses and a court of county commissioners; providing for the furnishing of equipment, supplies, and additional clerks to the tax assessor and the tax collector in such counties.

Local Legislation No. 1.

By Messrs. Law, Speaks and Franklin (with notice and proof):

H. 810. Relating to Chilton, Coosa and Elmore Counties; to prohibit the taking of fish from the public waters of these counties with hoop and fyke nets, seines, gill nets, trammel nets, fish traps or any other kind of commercial fishing gear, except setlines, trotlines, snaglines and licensed baskets.

Local Legislation No. 1.

Notice and Proof H. 910:

A BILL
TO BE ENTITLED
AN ACT

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Chilton, Coosa, Elmore and Tallapoosa Counties; to prohibit the taking of fish with hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines, and snaglines, from the public waters in these counties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. It shall be unlawful for any person to use any hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines or snaglines, in

taking or capturing fish from the public impounded waters and navigable streams in Chilton, Coosa, Elmore, or Tallapoosa counties, notwithstanding the fact that such person may be licensed by the Department of Conservation to use such gear in any other county. Any person violating this Act shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by Law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

—S— FRANCIS W. SPEAKS.

17-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF CHILTON.

Personally appeared before the undersigned, a Notary Public in and for said county and state, R. M. Tucker, Publisher of the CHILTON COUNTY NEWS, a newspaper published at Clanton, County of Chilton, State of Alabama, who, being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in its issues of 28 day of April, 1955, 5 day of May, 1955, 12 day of May, 1955, 19 day of May, 1955.

R. M. TUCKER,
Publisher.

Subscribed and sworn to before me this 14th day of June, 1955.

FRANCIS W. SPEAKS,
Notary Public.

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Chilton, Coosa, Elmore, and Tallapoosa Counties: to prohibit the taking of fish with hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines, and snaglines, from the public waters in these counties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. It shall be unlawful for any person to use any hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines, or snaglines, in taking or capturing fish from the public impounded waters and navigable streams in Chilton, Coosa, Elmore, or Tallapoosa Counties, notwithstanding the fact that such person may be licensed by the Department of

Conservation to use such gear in any other county. Any person violating this Act shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CHARLES R. FRANKLIN,
Rep. Coosa County.
A28—M-5-12-19c

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF COOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Enterprise-Chronicle, a newspaper of general circulation published in Coosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 28, May 5, May 12, and May 19, all in the year 1955.

J. C. HENDERSON.

Sworn to and subscribed before me June 20, 1955.

T. C. WOLSONCROFT,
Notary Public.

My commission expires June 14, 1959.

STATE OF ALABAMA COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(2993:4-21-55)

A BILL TO BE ENTITLED AN ACT

Relating to Chilton, Coosa, Elmore, and Tallapoosa Counties; to prohibit the taking of fish with hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines, and snaglines, from the public waters in these counties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. It shall be unlawful for any person to use any hoop and fyke nets, seines, gill nets, trammel nets, fish traps, or any other kind of commercial fishing gear, except setlines, trotlines, or snaglines, in taking or capturing fish from the public impounded waters and navigable streams in Chilton, Coosa, Elmore, or Tallapoosa Counties, notwithstanding the fact that such person may be licensed by the Department of Conservation to use such gear in any other county. Any person

violating this Act shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

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PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. H. Golson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was the publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 12 May, 19 May, 26 May, and 2 June, all in the year 1955.

W. H. GOLSON.

Sworn to and subscribed before me 6 June, 1955.

ELAINE HOLLEY,
Notary Public.

By Messrs. Hawkins and Hanby:

H. 811. Relating to counties having a population of not less than 80,000 nor more than 94,000 inhabitants, according to the last or any subsequent federal decennial census; creating a hospital board in any such county and prescribing the power, authority and jurisdiction of the board; providing for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the board shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the hospital board; and authorizing any municipality in such counties to transfer and convey to such hospital board without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

Local Legislation No. 1.

By Mr. Hawkins:

H. 812. To amend Code of Alabama, Title 51, Section 606.

Ways and Means.

By Messrs. Hawkins and Hanby:

H. 813. To provide an assistant coroner for counties having a population of not less than 80,000 nor more than 94,000 inhabitants according to the last or any subsequent federal census.

Local Legislation No. 1.

By Messrs. Hawkins and Dawkins:

H. 814. To designate the first week in October of each year as "EMPLOY THE PHYSICALLY HANDICAPPED WEEK"; to create the

Governor's Committee for the Employment of the Physically Handicapped; to provide for its organization and the employment and compensation of its personnel; and to make appropriations for its expenses.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 815. To provide for the appointment by the Governor of a press secretary, and to fix his compensation.

Ways and Means.

By Messrs. Hawkins and Dawkins:

H. 816. To amend Act No. 4, H. 6, approved January 25, 1951, which relates to the salaries and compensation of certain state officers (Acts of 1950-51, Vol. 1, p. 167).

Ways and Means.

By Messrs. Meeks, Kaul, Edwards (Jefferson), Perry, Vacca, Nice and Lackey:

H. 817. TO provide that any territory which may be annexed to any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census shall continue to be subject to the county, town or city zone classifications as such territory was subject at the time of annexation, until such territory shall have been zoned by such city or until the expiration of one year after the date of such annexation, whichever shall first occur.

Local Legislation No. 2.

By Messrs. Kaul, Meeks, Lackey, Nice, Vacca, Edwards (Jefferson), and Perry:

H. 818. TO provide that the governing body of any city having a population of two hundred fifty thousand inhabitants or more according to the last or any succeeding federal census may by ordinance adopted by the favorable vote of a majority of the members of such body amend, supplement, change, modify or repeal any zone regulation, restriction or boundary of such city.

Local Legislation No. 2.

By Messrs. Lackey, Nice, Kaul, Meeks, Perry, Edwards (Jefferson) and Vacca:

H. 819. To amend Section 2 of Act No. 634, approved September 4, 1951, Acts of Alabama of 1951, Regular Session, Page 1089, entitled "An act to prescribe certain duties and functions of county planning commissions and boards of zoning adjustment and the governing bodies in all counties having a population of 400,000 or more according to the 1940 or any succeeding Federal Census and to further define the authority, powers and functions of such boards and to authorize the governing body of such counties to enforce its rules, resolutions, regulations and ordinances and to provide remedies for the enforcement of its rules, resolutions, regulations and ordinances made by the governing bodies and to appoint a County Building Commissioner and to prescribe his authority and duties of such counties and to provide penalties for the violation of such rules, resolutions, regulations and ordinances."

Local Legislation No. 2.

By Messrs. Ward, Brown (Lee), Bassett, deGraffenried, Callahan, Halton and Harrison:

H. 820. To amend Section 582 of Title 51, Code of Alabama (1940) which relates to the license fee for restaurants, cafes, cafeterias, etc.

Ways and Means.

By Messrs. Holliman, Nolen, McNider, Bradford, Bassett, Brooks, Love, Ferrell, Locke (Perry), DeSear, Harrison, Nettles, Oakley, Kirkham, Killough, Taylor, Locke (Choctaw), Brassell, Cornett and Summerlin:

H. 821. To raise revenue; to levy and provide for the collection of an additional tax on vinous liquors sold by the Alabama Alcoholic Beverage Control Board; and to dedicate the proceeds thereof to the care and treatment of persons suffering with tuberculosis.

Ways and Means.

By Messrs. Stokes, Nolen, DeSear, Lee (Barbour), Hain, Hardy, Simon, Holliman, Nettles, Killough, Dawkins, Nice, Molette, Solomon, Mathison, Crook, McLendon, Cornett, Oakley, Pirkle, Harrison, Meeks, Thomas, Huddleston, Pruitt, Edwards (Jefferson), Vacca, Perry, Brown (Lee), Kirkham, Boyd, Faulk, Steagall, and Lackey:

H. 822. Creating the Alabama Livestock Sanitary Board, and providing for the appointment, terms, compensation, powers, duties and authority of members of the board; fixing the jurisdiction of the Alabama Livestock Sanitary Board, and prescribing the powers and authority of the board; providing for the compensation, powers, duties, and authority of the state veterinarian; transferring all the powers, jurisdiction, duties and authority of the State Board of Agriculture and Industries, the Commissioner of Agriculture and Industries, and the State Department of Agriculture and Industries with respect to the supervision and control of the state veterinarian, and functions required by law to be performed by the state veterinarian, to the Alabama Livestock Sanitary Board; providing for the transfer of all records, supplies, equipment, materials, motor vehicles, and other property in the livestock sanitary division of the State Department of Agriculture and Industries, or designated for use by the state veterinarian, to the Alabama Livestock Sanitary Board; transferring certain personnel and funds from the State Department of Agriculture and Industries and the State Board of Agriculture and Industries to the Alabama Livestock Sanitary Board; and repealing conflicting laws.

Business and Labor.

By Messrs. Nolen, Goodwyn, Hall and Dawkins:

H. 823. To authorize the governing body of any County in the State of Alabama having a population of at least 125,000 people and not more than 225,000 people according to the 1950 or any succeeding regular decennial Federal Census, and the governing body of any municipality located in such a county, to create a Joint Public Charity Hospital Board, to provide for the appointment and reappointment of the members of such a board, to provide for the qualifications of the members of such board, to authorize the board to elect officers, to authorize the board to adopt rules and regulations, establish policies and procedures; to authorize the board, with the approval of the governing bodies of such a county and any such a municipality, to employ an administrator and to define his duties and responsibilities and to fix his salary and tenure of office, to employ a staff and other employees, to define the duties, fix the salaries and tenure of office of such personnel, all subject to the approval of the governing bodies of such a county and any such a municipality and subject to any civil service or merit system law now or hereafter in effect in such a county, and to provide that such staff and other employees shall be considered and be subject to and have the rights of employees of such a county; to authorize the board to accept financial and other aid and grants and to expend its funds for hospital, clinical and medical care and treatment of poor and indigent residents of such a county, to expend funds for the administra-

tion of its program; to define the board's duties and responsibilities and to define the powers and authority of the board; to authorize the board to hold title to real and other property and to transfer and otherwise dispose of same and to exempt the board from payment of all ad valorem taxes and licenses; and to authorize the governing body of such a county and the governing body of such a municipality to appropriate funds to such a board and to authorize such governing bodies to provide space or equipment and supplies and services, including legal services, for such a board.

Local Legislation No. 1.

By Mr. Goodwyn:

H. 824. To limit the power of housing authorities and redevelopment agencies created and operating under the provisions of Title 25 of the Code of Alabama (1940), as amended, or any law supplemental thereto, prohibiting the disposal for private use of any real property acquired by any such authority or agency by condemnation or exercise of the right of eminent domain.

Judiciary.

By Messrs. Windle, Kaul, Davis and Pirkle:

H. 825. To amend Section 1 of Act No. 169 of the Regular Session of the Legislature of 1945, (General Acts of Alabama 1945, page 285, Section 1, effective August 22, 1945), as amended, by including within the definition of a producer as is defined in sub-section (d) of said Section any person who assembles or causes to be assembled any forest products for shipment out of the State of Alabama in an unmanufactured condition.

Business and Labor.

By Mr. Selman:

H. 826. To make it unlawful for any person dealing in, selling, or purchasing for resale, automobiles, trucks, or other self-propelled vehicles, if such person has purchased or caused to be purchased motor vehicle license tags for any motor vehicle offered for sale to the ultimate consumer, to sell or otherwise transfer ownership or possession of the motor vehicle until after the expiration of thirty days from the date such license tags were purchased; and to provide penalties for violations of the Act.

Judiciary.

By Mr. Shumate (with notice and proof):

H. 827. Relating to counties having a population of not less than 63,750 nor more than 72,750: Providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Local Legislation No. 1.

By Mr. Shumate (with notice and proof):

H. 828. Relating to Walker County: To further regulate the practice of law and proceedings now pending or hereafter instituted for the removal, suspension, disbarment, or other disciplinary action against any attorney admitted to the practice of law, and to provide for a jury trial in all such proceedings.

Local Legislation No. 1.

Notice and Proof H. 828:

STATE OF ALABAMA,
COUNTY OF WALKER.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County: To further regulate the practice of law and proceedings now pending or hereafter instituted for the removal, suspension, disbarment, or other disciplinary action against any attorney admitted to the practice of law, and to provide for a jury trial in all such proceedings.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall apply only in Walker County, Alabama.

Section 2. In all proceedings now pending or hereafter instituted for disbarment, removal, suspension or other disciplinary action against any attorney admitted to the practice of law and duly licensed to practice law in Walker County, Alabama, the accused shall have the right to a trial by jury, as provided by law in criminal cases. The right to a trial by jury shall not be deemed to have been waived, except upon written consent of the accused attorney, filed with the Secretary of the Alabama State Bar or with the clerk of the court before which any such proceeding is instituted, or is now pending. Provided, however, that any attorney admitted to the practice of law, upon being notified in writing of any disciplinary action against him by the Alabama State Bar, or any disciplinary committee thereof, may, by written request to the Secretary of the Alabama State Bar within thirty days after being so notified, elect to be tried by the Bar Commission as now provided by law. Further provided, however, that nothing contained herein shall be construed as impairing or preventing any court of competent jurisdiction from exercising its inherent judicial power to institute disciplinary or disbarment proceedings in any appropriate case against any attorney admitted to the practice of law and duly licensed to practice law in Walker county, who is guilty of such conduct as to justify disciplinary or disbarment action by the court, which said proceeding may be heard and conducted by the court without the accused having the right to a trial by jury.

Section 3. All disbarment or disciplinary proceedings of every kind and character of any person admitted to the practice of law, whether pending before the Alabama State Bar or any grievance committee of the Alabama State Bar or before any court on appeal or otherwise, are hereby abated. In any proceeding, pending before any court of this State or before the Alabama State Bar or any disciplinary committee of the Alabama State Bar or any local or county bar association or grievance committee, and hereby abated, the record of said proceeding shall forthwith be certified and forwarded to the clerk of the circuit court of Walker County for trial, in accordance with the provisions of this Act.

After said record of said proceeding has been filed with the clerk of the circuit court of Walker County, the solicitor of said circuit shall draw up, in writing, an accusation based upon the facts alleged in the said complaint by the Alabama State Bar, or any grievance committee of the Alabama State Bar, setting forth the facts upon which the charges are based, and move the court for the suspension or removal of such attorney.

Section 4. The circuit court must, if of the opinion that the accusation would, if true, furnish grounds for suspension or removal of such attorney, make an order requiring the accused to appear and answer the same on a specified date of not less than thirty (30) days from date of such order, during that term or the next term, or any other time

when the court can hear and determine the same, a copy of which, together with a copy of the accusation, must be served upon the accused.

Section 5. The accused must appear at the time appointed in the order and answer the accusation, unless for sufficient cause the court assigns another day for that purpose; if he does not appear, the court may proceed and determine the accusation in his absence.

Section 6. The accused may answer such accusation, either by objection in writing to the sufficiency thereof, or by denying the truth of the facts alleged or setting forth the facts of his defense, which said answer as to facts, by denial or otherwise, must be in writing, signed by the accused and verified by his oath, and the accusation, objections, and answer in said proceedings are hereby made of the record therein.

Section 7. If the objection to the sufficiency of the accusation be not sustained, the accused must answer it forthwith.

Section 8. If the accused pleads guilty or fails or refuses to answer the accusation, the court must proceed to judgement of suspension or removal; if he answers the accusation, the court must immediately, or at such time as it may appoint, proceed to try the same; if the accused waives the right to trial by jury, as herein provided, the court, in trying the same, shall make and file a statement of the facts established by the evidence, and if trial is by jury, the jury must make a special finding of the facts, upon issues of fact submitted by the court, and upon such statement of facts by the court, or special findings of fact by the jury, the court must render judgement of acquittal or suspension, or removal of the accused, as such facts may warrant.

Section 9. The accused attorney against whom the prosecution is instituted, or is about to be instituted, may stop or prevent such prosecution by a surrender of his license as an attorney in all the courts of the State of Alabama to the attorney or solicitor prosecuting such proceedings against him, or whose duty it would be to prosecute such proceedings against him, if instituted, which surrender of license shall be reported by such prosecuting attorney or solicitor to the court of tribunal in which or by which the prosecution is or is about to be instituted, and who shall also report such surrender of license to the supreme court of this state, and a record of which surrender shall be made in the supreme court of said state.

Section 10. The proceedings, whether instituted by the court on its own motion, or as herein provided, by the solicitor of the circuit court, or a court of like jurisdiction, must be conducted in the name of the State, and in all cases, the solicitor of said circuit shall appear and sustain such accusation, and be responsible for the faithful performance thereof as of other official duties required of him by law.

Section 11. Either party has a right to subpoenas and other process to compel the attendance of witnesses; and testimony may be taken by deposition in such cases, and in the same manner as in actions at law; and the court shall dismiss the cause if security for costs has not been given as required by law.

Section 12. The accused may appeal to the supreme court from and adverse judgement rendered by the circuit court, or court of like jurisdiction, in said proceedings, in the manner now prescribed by law for appeals in civil cases, and the supreme court may affirm, modify, or reverse such judgement, or render such judgement in such proceeding as the circuit court, or court of like jurisdiction should have rendered. An appeal by the accused shall suspend the judgement until the determination of the appeal.

Section 13. All laws and parts of laws in conflict with the provisions of this Act are hereby expressly repealed.

Section 14. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

ALONZO SHUMATE,
Representative, Place No. 1,
Walker County.

6-30-55 4tc.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. I. Dove, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Walker County Times, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, all in the year 1955.

W. I. DOVE.

Sworn to and subscribed before me July 22, 1955.

MRS. ANNIE DAVIS,
Notary Public.

By Messrs. Nettles and Oakley:

H. 829. To propose an amendment to the Constitution of Alabama relating to the filling of vacancies in certain county offices in Wilcox County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Kelly:

H. 830. To propose an amendment to the Constitution of Alabama relating to the levy and collection of additional property taxes in Winston County for public school purposes and for public hospital and health purposes; authorizing the county, or any public corporation designated as the agency of the county for the purpose of acquiring, constructing, equipping, maintaining and operating hospital and public health facilities to anticipate one-half of the tax levied for public hospital and health purposes and issue interest bearing tax anticipation bonds, warrants or certificates of indebtedness of said county payable solely from and secured by a pledge of one-half of the annual proceeds of such tax.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

BILLS ON THIRD READING

H. 745. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for educational purposes in Butler County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Messrs.	Faulk	Killough	Oden
Albea	Ferrell	Kirkham	Payne
Ashworth	Franklin	Lackey	Pirkle
Bassett	Gilchrist	Lee (Barbour)	Pruitt
Boyd	Gist	Lee (Lawrence)	Ramey
Bradford	Goodwyn	Locke (Choctaw)	Reynolds
Branyon	Gregory	Locke (Perry)	Richardson
Brassell	Grouby	Love	Roberts
Broadfoot	Hain	McClendon	Selman
Brooks	Hall	McKay	Shumate
Brown (Lamar)	Haltom	McLendon	Simon
Burkhalter	Hardy	McNider	Solomon
Callahan	Hare	Martin	Speaks
Cornett	Harrison	Mathews	Steagall
Cox	Harvey	Mathison	Stokes
Crook	Hodges	Meeks	Summerlin
Davis	Holliman	Molette	Taylor
deGraffenried	Huddleston	Money	Thomas
Dement	Hunt	Nettles	Tyson
DeSear	Jenkins	Nice	Vacca
Dickson	Johnson (Elmore)	Nolen	Ward
Edwards (Escambia)	Johnson (Tallapoosa)	Oakley	Windle
Edwards (Jefferson)	Kendall		

—89

And the bill:

H. 754. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for educational purposes in Lee County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Messrs.	Burkhalter	Edwards (Jefferson)	Hardy
Albea	Callahan	Faulk	Hare
Ashworth	Cornett	Ferrell	Harrison
Bassett	Cox	Franklin	Harvey
Boyd	Crook	Gilchrist	Hodges
Bradford	Davis	Gist	Holliman
Branyon	Dawkins	Goodwyn	Huddleston
Brassell	deGraffenried	Gregory	Hunt
Broadfoot	Dement	Grouby	Jenkins
Brooks	DeSear	Hain	Johnson (Elmore)
Brown (Lamar)	Dickson	Hall	Johnson (Tallapoosa)
Brown (Lee)	Edwards (Escambia)	Haltom	Kendall

Killough	McNider	Oden	Speaks
Kirkham	Martin	Payne	Steagall
Lackey	Mathews	Pruitt	Stokes
Lee (Barbour)	Mathison	Ramey	Summerlin
Lee (Lawrence)	Meeks	Reynolds	Taylor
Locke (Choctaw)	Molette	Richardson	Thomas
Locke (Perry)	Money	Roberts	Tyson
Love	Nettles	Selman	Vacca
McClendon	Nice	Shumate	Ward
McKay	Nolen	Simon	Windle
McLendon	Oakley	Solomon	Wood

—91

And the bill:

H. 756. To provide further for the government of Marshall County; to abolish the Court of County Commissioners of Marshall County and to create in lieu thereof the Board of Revenue and Control of Marshall County; to provide for the election of the members of the board and to prescribe their qualifications, terms, and compensation; and to provide for the organization, powers, jurisdiction, and duties of the board, and the authority and duties of its individual members.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Messrs.	Edwards (Escambia)	Johnson (Tallapoosa)	Nolen
Albea	Edwards (Jefferson)	Kendall	Oakley
Ashworth	Faulk	Killough	Oden
Bassett	Ferrell	Kirkham	Payne
Boyd	Franklin	Lackey	Pirkle
Bradford	Gist	Law	Pruitt
Branyon	Goodwyn	Lee (Barbour)	Ramey
Brassell	Gregory	Lee (Lawrence)	Reynolds
Broadfoot	Grouby	Locke (Choctaw)	Richardson
Brooks	Hain	Locke (Perry)	Shumate
Brown (Lamar)	Hall	Love	Simon
Brown (Lee)	Haltom	McLendon	Solomon
Burkhalter	Hanby	McKay	Speaks
Callahan	Hardy	McLendon	Steagall
Cornett	Hare	McNider	Stokes
Cox	Harrison	Martin	Summerlin
Crook	Harvey	Mathews	Taylor
Davis	Hodges	Mathison	Thomas
Dawkins	Holliman	Meeks	Tyson
deGraffenried	Huddleston	Molette	Vacca
Dement	Hunt	Money	Ward
DeSear	Jenkins	Nettles	Windle
Dickson	Johnson (Elmore)	Nice	Wood

—91

And the bill:

H. 759. To provide additional compensation for the county solicitor, deputy circuit solicitor, or assistant circuit solicitor in all counties having a population of not less than 29,500 nor more than 30,500 inhabitants, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Messrs.	Ferrell	Kendall	Oakley
Albea	Franklin	Killough	Oden
Ashworth	Gist	Kirkham	Perry
Bassett	Goodwyn	Lackey	Pirkle
Boyd	Gregory	Law	Pruitt
Bradford	Grouby	Lee (Barbour)	Ramey
Branyon	Hain	Locke (Choctaw)	Reynolds
Brassell	Hall	Locke (Perry)	Richardson
Broadfoot	Haltom	Love	Shumate
Brooks	Hanby	McClendon	Simon
Brown (Lamar)	Hardy	McKay	Solomon
Burkhalter	Hare	McLendon	Speaks
Callahan	Harrison	McNider	Steagall
Cornett	Harvey	Martin	Stokes
Cox	Hawkins	Mathews	Summerlin
Davis	Hodges	Mathison	Taylor
Dawkins	Holliman	Meeks	Thomas
deGraffenried	Huddleston	Mollette	Tyson
Dickson	Hunt	Money	Ward
Edwards (Escambia)	Jenkins	Nettles	Windle
Edwards (Jefferson)	Johnson (Elmore)	Nice	Wood
Faulk	Johnson (Tallapoosa)	Nolen	

—86

And the bill:

H. 760. To fix the compensation of the members, other than the chairman, of the court of county commissioners, board of revenue, or like governing body, of all counties having a population of not less than 29,500 nor more than 30,500 inhabitants, according to the last or any subsequent decennial census of the United States; and to provide for the manner of payment of such compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Messrs.	Dement	Harvey	McClendon
Albea	DeSear	Hawkins	McKay
Ashworth	Dickson	Hodges	McLendon
Bassett	Edwards (Escambia)	Holliman	McNider
Boyd	Edwards (Jefferson)	Huddleston	Martin
Bradford	Faulk	Hunt	Mathews
Branyon	Ferrell	Jenkins	Mathison
Brassell	Franklin	Johnson (Elmore)	Meeks
Broadfoot	Gist	Johnson (Tallapoosa)	Mollette
Brooks	Goodwyn	Kendall	Money
Brown (Lamar)	Gregory	Killough	Nettles
Burkhalter	Grouby	Kirkham	Nice
Callahan	Hain	Lackey	Nolen
Cornett	Hall	Law	Oakley
Cox	Haltom	Lee (Barbour)	Oden
Crook	Hanby	Lee (Lawrence)	Payne
Davis	Hardy	Locke (Choctaw)	Perry
Dawkins	Hare	Locke (Perry)	Pirkle
deGraffenried	Harrison	Love	Pruitt

Ramey
Reynolds
Richardson
Roberts
Selman

Shumate
Simon
Solomon
Speaks

Steagall
Summerlin
Taylor
Thomas

Tyson
Vacca
Waddle
Wood

—92

And the bill:

H. 761. To amend Section 1 of Senate Bill No. 396 of the Acts of the Legislature of Alabama of 1935, approved September 9, 1935, entitled, "An Act, to authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, Corporations, Co-partnerships, Companies, Agencies, Associations, and Refiners, selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county, gasoline, naptha, and other liquid motor fuels or any devices or substitutes therefor, commonly used in internal combustion engines, but not including 'kerosene oil', 'fuel oil', or 'crude oil', commonly used for lighting, heating or industrial purposes, not to exceed one cent per gallon; To authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; To make provision for the distribution of the funds derived from said privilege tax; To prohibit any incorporated city or town in said County from levying or collecting a municipal privilege tax on such motor fuels or upon the business of selling, delivering, withdrawing from storage, or keeping in storage such motor fuels, on a quantity basis; To repeal the municipal privilege, excise and/or license taxes on gasoline, Woco-pep, or any other motor fuel used by self propelled vehicles which may now be collected or levied by any incorporated city or town in said County; To provide for the use of the money derived from said privilege tax, and to provide penalties for the violation of such rules and regulations; To repeal all laws and parts of laws in conflict with this Act, and to provide when this Act shall become effective."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Messrs.
Albea
Ashworth
Bassett
Boyd
Bradford
Branyon
Brassell
Broadfoot
Brooks
Brown (Lamar)
Burkhalter
Callahan
Cornett
Cox
Davis
Dawkins
deGraffenried
Dement
DeSear

Dickson
Edwards (Escambia)
Edwards (Jefferson)
Faulk
Ferrell
Franklin
Gilchrist
Gist
Gregory
Grouby
Hain
Haltom
Hanby
Hardy
Hare
Harrison
Harvey
Hawkins
Hodges
Holliman

Huddleston
Hunt
Jenkins
Johnson (Elmore)
Johnson (Tallapoosa)
Kendall
Killough
Kirkham
Lackey
Law
Lee (Barbour)
Lee (Lawrence)
Locke (Choctaw)
Locke (Perry)
Love
McClendon
McKay
McLendon
McNider
Martin

Mathews
Mathison
Meeks
Molette
Money
Nettles
Nice
Nolen
Oakley
Oden
Payne
Pirkle
Pruitt
Ramey
Reynolds
Richardson
Selman
Shumate
Simon
Solomon

Speaks
Steagall
Summerlin

Taylor
Thomas
Tyson

Vacca
Ward

Windle
Wood

—89

And the bill:

S. 234. To propose an amendment to the Constitution of Alabama relating to Lawrence County, and authorizing the creation of special school districts in said county, special school district taxes, the construction, improvement and equipping of school buildings in said special school districts, and the issuance of bonds therefor.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Messrs.	Faulk	Johnson (Tallapoosa)	Nolen
Albea	Ferrell	Kendall	Oakley
Ashworth	Franklin	Killough	Oden
Bassett	Gilchrist	Kirkham	Payne
Boyd	Gist	Lackey	Perry
Bradford	Goodwyn	Law	Pirkle
Branyon	Gregory	Lee (Barbour)	Pruitt
Brassell	Grouby	Lee (Lawrence)	Ramey
Broadfoot	Hain	Locke (Choctaw)	Reynolds
Brooks	Hall	Locke (Perry)	Richardson
Brown (Lamar)	Haltom	Love	Selman
Burkhalter	Hanby	McClendon	Shumate
Callahan	Hardy	McKay	Simon
Cornett	Hare	McLendon	Solomon
Cox	Harrison	McNider	Speaks
Davis	Harvey	Martin	Steagall
Dawkins	Hawkins	Mathews	Summerlin
deGraffenried	Hodges	Mathison	Taylor
Dement	Holliman	Meeks	Thomas
DeSear	Huddleston	Molette	Tyson
Dickson	Hunt	Money	Ward
Edwards (Escambia)	Jenkins	Nettles	Windle
Edwards (Jefferson)	Johnson (Elmore)	Nice	Wood

—91

And the bill:

H. 749. Relating to cities having a population of not less than 50,000 nor more than 100,000 inhabitants, according to the last or any subsequent federal decennial census; to authorize such municipalities to declare weeds growing upon vacant property within the corporate limits thereof to be a public nuisance and to remove them or cause them to be removed; prescribing a procedure therefor; and creating a lien upon such property for the cost of removing the weeds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Messrs.	Boyd	Broadfoot	Cornett
Albea	Bradford	Brooks	Cox
Ashworth	Branyon	Burkhalter	Davis
Bassett	Brassell	Callahan	Dawkins

deGraffenried	Hardy	Love	Pruitt
Dement	Hare	McClendon	Ramey
DeSear	Harrison	McKay	Reynolds
Dickson	Hawkins	McLendon	Richardson
Edwards (Escambia)	Hodges	McNider	Selman
Edwards (Jefferson)	Holliman	Martin	Shumate
Faulk	Hunt	Mathews	Simon
Ferrell	Jenkins	Mathison	Solomon
Franklin	Johnson (Elmore)	Molette	Speaks
Gilchrist	Johnson (Tallapoosa)	Money	Steagall
Gist	Killough	Nettles	Summerlin
Goodwyn	Kirkham	Nice	Taylor
Gregory	Lackey	Nolen	Thomas
Grouby	Law	Oakley	Tyson
Hain	Lee (Barbour)	Oden	Ward
Hall	Lee (Lawrence)	Payne	Windle
Haltom	Locke (Choctaw)	Perry	Wood
Hanby	Locke (Perry)	Pirkle	

—86

And the bill:

S. 248. Relating to St. Clair County; fixing the compensation of the chief deputy and the other deputies in the office of the sheriff of St. Clair County.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Messrs.	Edwards (Jefferson)	Johnson (Tallapoosa)	Oakley
Albea	Faulk	Kendall	Oden
Ashworth	Ferrell	Killough	Payne
Bassett	Franklin	Kirkham	Pirkle
Boyd	Gilchrist	Lackey	Pruitt
Bradford	Gist	Law	Ramey
Branyon	Gregory	Lee (Lawrence)	Reynolds
Brassell	Grouby	Locke (Choctaw)	Richardson
Broadfoot	Hain	Locke (Perry)	Selman
Brooks	Hall	Love	Shumate
Brown (Lamar)	Haltom	McClendon	Simon
Burkhalter	Hanby	McKay	Solomon
Callahan	Hardy	McLendon	Speaks
Cornett	Hare	McNider	Steagall
Cox	Harrison	Martin	Summerlin
Davis	Hawkins	Mathews	Taylor
Dawkins	Hodges	Mathison	Thomas
deGraffenried	Holliman	Meeks	Vacca
Dement	Huddleston	Molette	Ward
DeSear	Hunt	Money	Windle
Dickson	Jenkins	Nettles	Wood
Edwards (Escambia)	Johnson (Elmore)	Nolen	

—86

And the bill:

S. 249. Relating to St. Clair County; authorizing and directing the court of county commissioners, board of revenue, or like county governing body of St. Clair County to provide the circuit clerk of the county an allowance for clerk hire.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Messrs.	Ferrell	Kendall	Faulk
Albea	Franklin	Killough	Nice
Ashworth	Gilchrist	Kirkham	Nolen
Bassett	Gist	Lackey	Oakley
Boyd	Gregory	Law	Oden
Bradford	Grouby	Lee (Barbour)	Payne
Branyon	Hain	Lee (Lawrence)	Pirkle
Brassell	Hall	Locke (Choctaw)	Pruitt
Broadfoot	Haltom	Locke (Perry)	Reynolds
Brooks	Hanby	Love	Richardson
Brown (Lamar)	Hardy	McClendon	Selman
Burkhalter	Hare	McKay	Shumate
Callahan	Harrison	McLendon	Simon
Cornett	Hawkins	McNider	Speaks
Cox	Hodges	Martin	Steagall
Davis	Holliman	Mathews	Summerlin
deGraffenried	Huddleston	Mathison	Taylor
Dement	Hunt	Meeks	Thomas
DeSear	Jenkins	Molette	Vacca
Dickson	Johnson (Elmore)	Money	Windle
Edwards (Escambia)	Johnson (Tallapoosa)	Nettles	Wood
Edwards (Jefferson)			

—84

And the bill:

S. 250. For the relief of the widows of Dan Hubbard and H. F. Cole of Talladega County; authorizing and empowering the Court of County Commissioners, Board of Revenue or like governing body of Talladega County to appropriate out of any funds in the county treasury not otherwise appropriated the sum of two thousand dollars (\$2,000.00) for the widow of Dan Hubbard and sum of two thousand dollars (\$2,000.00) for the widow of H. F. Cole as compensation for the death of their husbands, both of whom were killed in the line of duty while serving as deputy sheriffs of Talladega County.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Messrs.	Davis	Hall	Killough
Albea	deGraffenried	Haltom	Kirkham
Ashworth	Dement	Hanby	Lackey
Bassett	DeSear	Hardy	Law
Boyd	Dickson	Hare	Lee (Barbour)
Bradford	Edwards (Escambia)	Harrison	Lee (Lawrence)
Branyon	Edwards (Jefferson)	Harvey	Locke (Choctaw)
Brassell	Faulk	Hawkins	Locke (Perry)
Broadfoot	Ferrell	Hodges	Love
Brooks	Franklin	Holliman	McClendon
Brown (Lamar)	Gilchrist	Huddleston	McKay
Brown (Lee)	Gist	Hunt	McLendon
Burkhalter	Goodwyn	Jenkins	McNider
Callahan	Gregory	Johnson (Elmore)	Martin
Cornett	Grouby	Johnson (Tallapoosa)	Mathews
Cox	Hain	Kendall	Mathison

Meeks	Oden	Richardson	Taylor
Molette	Payne	Selman	Thomas
Money	Perry	Shumate	Tyson
Nettles	Pirkle	Simon	Vacca
Nice	Pruitt	Speaks	Ward
Nolen	Ramey	Steagall	Windle
Cakley	Reynolds	Summerlin	Wood

—91

MOTION ADOPTED

The motion of Mr. Davis to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 294, was adopted.

And the bill:

H. 294. TO AMEND: Section 713 of Article 5 of Chapter 14 of Title 7 of the Code of Alabama of 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 1.

Yeas:

Messrs.	Gilchrist	Lackey	Payne
Ashworth	Gist	Law	Pirkle
Bassett	Goodwyn	Lee (Barbour)	Pruitt
Boyd	Gregory	Lee (Lawrence)	Ramey
Bradford	Grouby	Locke (Perry)	Reynolds
Branyon	Hall	Locke (Choctaw)	Richardson
Brassell	Hanby	Love	Selman
Brooks	Hare	McClendon	Shumate
Brown (Lamar)	Harrison	McKay	Simon
Burkhalter	Harvey	McLendon	Solomon
Callahan	Hawkins	McNider	Speaks
Cox	Hodges	Martin	Steagall
Davis	Holliman	Mathews	Stembridge
deGraffenried	Huddleston	Mathison	Summerlin
Dement	Hunt	Molette	Taylor
Dickson	Jenkins	Money	Thomas
Edwards (Escambia)	Johnson (Elmore)	Nettles	Vacca
Edwards (Jefferson)	Johnson (Tallapoosa)	Nolen	Ward
Ferrell	Kendall	Oakley	Wood
Franklin	Kirkham	Oden	

—78

Nays: Mr. Broadfoot.

—1

MOTION ADOPTED

The motion of Mr. Harrison to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 584, was adopted.

And the bill:

H. 584 (with amendment): To provide for and authorize for any municipality in the State the incorporation of a board, as a public corporation, for the purpose of acquiring, owning, leasing, equipping, improving, maintaining, and enlarging a medical clinic within the munici-

pality; To provide for the powers, authority, and duties of such board; to authorize each such board to borrow money and issue revenue bonds, payable solely from the rentals and other revenues derived from the medical clinic or its facilities financed by such bond issue; to authorize the board to pledge its rentals and other revenues for the payment of such bonds; to regulate the issuance, sale, and refunding of such bonds and other matters in connection therewith; to exempt from taxation the properties acquired under authority of this Act and the rentals thereof, the bonds and income therefrom, mortgages executed as security therefor, and lease agreements made hereunder; to provide that the bonds issued by such boards shall be legal investment for savings banks and insurance companies organized under the laws of Alabama; and to prescribe the purposes for which the proceeds derived from the sale of such bonds may be used.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Government, said committee amendment being as follows:

COMMITTEE AMENDMENT OF H. B. 584

Amend the caption of the bill by changing the semi-colon following the words "and lease agreements made hereunder" to a comma and inserting the following: "and all documents executed by or delivered to any corporation organized hereunder;"

Also, amend Section 3 of the bill by deleting the words "one meeting during each calendar month," where the words appear at the end of the first sentence of the section, and substituting therefor the following: "a total of one hundred twenty dollars (\$120) per member per year."

Also, amend the bill by adding the following to Section 5 thereof: "When the principal of and the interest on any bonds of such corporation payable from the revenues derived from the operation of a clinic owned by such corporation shall have been paid in full, then such clinic shall thereupon become the property of the municipality which authorized the incorporation of such corporation and title to the clinic and its facilities shall thereupon immediately vest in such municipality. When title to all property owned by any corporation organized under the provisions of this Act shall have vested in the municipality which authorized the incorporation thereof, then such corporation shall thereupon stand dissolved, even though the duration of the corporation as stated in the articles of incorporation has not terminated. Upon the dissolution of such corporation, the governing body of the municipality which authorized the incorporation of the corporation shall cause to be filed in the office of the judge of probate of the county in which the certificate of incorporation is filed a certificate containing a statement of the dissolution of the corporation. The formation and dissolution of one or more corporations under the provisions of this Act shall not prevent the subsequent formation hereunder of another corporation."

Also, amend the bill by adding the following to Section 7 thereof: "Any revenues derived from the operation of the clinic, over and above the amounts necessary to meet the charges hereinabove specified, may be applied to the payment of the principal of and the interest on the bonds issued to finance the clinic, or for other expenditures in connection with maintaining, expanding, operating, or equipping the clinic, at the discretion of the board of directors."

Also, amend the bill by adding the following to Section 11 thereof: "All deeds, mortgages, trust agreements, articles of incorporation, and

other documents executed by or delivered to any corporation incorporated under the provisions of this Act shall be exempt from all state, county, municipal, and other taxation in the State of Alabama."

And the amendment was adopted.

Yeas 88; Nays 0.

Yeas:

Messrs.	Ferrell	Johnson (Tallapoosa)	Nolen
Albea	Franklin	Kaul	Oakley
Ashworth	Gilchrist	Kendall	Oden
Bassett	Gist	Killough	Payne
Boyd	Goodwyn	Kirkham	Perry
Bradford	Gregory	Lackey	Pirkle
Branyon	Grouby	Law	Pruitt
Brassell	Hain	Lee (Barbour)	Ramey
Broadfoot	Hall	Lee (Lawrence)	Reynolds
Brooks	Haltom	Locke (Choctaw)	Selman
Brown (Lee)	Hanby	Locke (Perry)	Simon
Burkhalter	Hardy	McClendon	Solomon
Callahan	Hare	McKay	Speaks
Cornett	Harrison	McLendon	Steagall
Cox	Harvey	McNider	Stembridge
Davis	Hawkins	Martin	Summerlin
Dawkins	Hodges	Mathews	Taylor
deGraffenried	Holliman	Mathison	Thomas
Dement	Huddleston	Molette	Tyson
DeSear	Hunt	Money	Ward
Dickson	Jenkins	Nettles	Windle
Edwards (Escambia)	Johnson (Elmore)	Nice	Wood
Faulk			

—88

And said bill, H. 584, as thus amended, was read a third time at length and passed.

Yeas 79; Nays 7.

Yeas:

Messrs.	Ferrell	Johnson (Tallapoosa)	Nolen
Albea	Franklin	Kendall	Oakley
Ashworth	Gilchrist	Killough	Oden
Bassett	Gist	Kirkham	Payne
Boyd	Goodwyn	Lackey	Pruitt
Bradford	Gregory	Law	Ramey
Branyon	Grouby	Lee (Barbour)	Reynolds
Brassell	Hain	Lee (Lawrence)	Selman
Broadfoot	Hall	Locke (Choctaw)	Simon
Brooks	Hardy	Love	Speaks
Burkhalter	Hare	McClendon	Steagall
Callahan	Harrison	McKay	Stembridge
Cornett	Harvey	McLendon	Stokes
Cox	Hawkins	McNider	Summerlin
Dawkins	Hodges	Martin	Taylor
deGraffenried	Holliman	Mathews	Thomas
Dement	Huddleston	Mathison	Tyson
Dickson	Hunt	Molette	Vacca
Edwards (Escambia)	Jenkins	Money	Ward
Faulk	Johnson (Elmore)	Nettles	Wood

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Nays:Messrs.
Brown (Lamar)Haltom
HanbyKaul
Locke (Perry)Perry
Richardson

—7

MESSAGE FROM THE SENATE**Mr. Speaker:**

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By the Rules Committee:

S. J. R. 56. BE IT RESOLVED BY THE SENATE, the House of Representatives concurring, that when the two houses adjourn today, they adjourn to meet again Tuesday, August 2, 1955.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Dawkins the rules were suspended and the House concurred in and adopted the S. J. R. 56 set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING RESUMED

The motion of Mr. deGraffenried to suspend the rules in order to take up for immediate consideration the third reading of the bill,

H. 734, was adopted.

And the bill:

H. 734. To amend Section 184 of Title 13 of the Code of Alabama of 1940 (pertaining to Writs of Certiorari).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Messrs.
Albea
Ashworth
Boyd
Bradford
Branyon
Brassell
Broadfoot
Brooks
Brown (Lee)
Burkhalter
Callahan
Cornett
Davis
Dawkins
deGraffenried
Dement
DeSear

Dickson
Edwards (Escambia)
Edwards (Jefferson)
Faulk
Franklin
Gist
Gilchrist
Goodwyn
Gregory
Grouby
Hain
Hall
Haltom
Hanby
Hardy
Hare
Harrison
Harvey

Hawkins
Hodges
Holliman
Huddleston
Hunt
Jenkins
Johnson (Elmore)
Johnson (Tallapoosa)
Kendall
Kirkham
Lackey
Law
Lee (Barbour)
Lee (Lawrence)
Locke (Choctaw)
Locke (Perry)
Love
McClendon

McKay
McLendon
McNider
Mathews
Mathison
Meeks
Molette
Money
Nice
Nolen
Oakley
Oden
Payne
Perry
Pruitt
Ramey
Reynolds
Richardson

Roberts	Solomon	Summerlin	Vacca
Selman	Speaks	Taylor	Ward
Shumate	Steagall	Thomas	Wood
Simon	Stembridge	Tyson	

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H. 738 RE-REFERRED

The motion of Mr. Wood to re-refer the bill,

H. 738. To provide for the regulation, licensing, and supervision of dog racing, and wagering thereon, at a track situated at Gulf Shores; to provide for the administration of the Act by the Commissioner of Revenue, through the Department of Revenue; to prescribe the powers, and duties of the Commissioner; to provide for and regulate the parimutuel or certificate method of wagering within the enclosure of the licensed race track; and to provide certain penalties for the violation of this Act and for other purposes relative thereto.

was adopted.

And the Speaker Pro Tem re-referred the bill, H. 738, to the Standing Committee on Constitution and Elections.

MOTION LOST

The motion of Mr. Gilchrist to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 611, was lost.

Yeas 53; Nays 22.

Yeas:

Messrs.	Grouby	Lackey	Perry
Boyd	Hall	Lee (Barbour)	Pruitt
Brown (Lee)	Haltom	Lee (Lawrence)	Ramey
Burkhalter	Hare	Love	Richardson
Callahan	Harrison	McClendon	Roberts
Davis	Hawkins	McKay	Selman
deGraffenried	Hodges	McLendon	Shumate
Dement	Holliman	Meeks	Speaks
Dickson	Hunt	Molette	Stokes
Faulk	Jenkins	Money	Thomas
Franklin	Johnson (Elmore)	Nettles	Tyson
Gilchrist	Kendall	Nolen	Ward
Gist	Killough	Oden	Wood
Goodwyn	Kirkham		

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Nays:

Messrs.	Brown (Lamar)	Hardy	Oakley
Albea	Dawkins	Huddleston	Simon
Bradford	DeSear	Kaul	Steagall
Branyon	Ferrell	Law	Stembridge
Broadfoot	Gregory	McNider	Taylor
Brooks	Hanby	Nice	

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BILLS POSTPONED

On motion of Mr. Dawkins, consideration of the bills, H. 269, H. 208, and H. 207, was postponed until the thirtieth legislative day.

And the bill:

H. 300. Relating to the education of exceptional children; providing that county and city boards of education may provide education for exceptional children; authorizing the State Board of Education on the recommendation of the State Superintendent of Education to establish rules and regulations relating to allocation of state funds, certification of teachers, size of classes, eligibility of pupils to receive instruction, training and experience required for professional personnel other than teachers, and other regulations which are necessary to the effective operation of an educational program for exceptional children; authorizing the employment of qualified supervisory personnel in the State Department of Education; authorizing the expenditure of Minimum Program funds and local school funds for the education of exceptional children beginning with the age of three years; repealing all laws and parts of laws in conflict with this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Messrs.	Ferrell	Kaul	Oakley
Albea	Franklin	Kendall	Oden
Ashworth	Gilchrist	Killough	Payne
Bassett	Gist	Kirkham	Perry
Eoyd	Goodwyn	Lackey	Pruitt
Bradford	Gregory	Law	Ramey
Branyon	Grouby	Lee (Barbour)	Reynolds
Brassell	Hain	Lee (Lawrence)	Richardson
Broadfoot	Hall	Locke (Choctaw)	Roberts
Brooks	Haltom	Locke (Perry)	Selman
Brown (Lamar)	Hanby	Love	Shumate
Brown (Lee)	Hardy	McClendon	Simon
Burkhalter	Hare	McKay	Solomon
Callahan	Harrison	McLendon	Speaks
Cornett	Harvey	McNider	Steagall
Cox	Hawkins	Martin	Stembridge
Davis	Hodges	Mathews	Summerlin
Dawkins	Holliman	Mathison	Taylor
deGraffenried	Huddleston	Molette	Thomas
Dement	Hunt	Money	Vacca
Dickson	Jenkins	Nettles	Ward
Edwards (Escambia)	Johnson (Elmore)	Nice	Windle
Edwards (Jefferson)	Johnson (Tallapoosa)	Nolen	Wood
Faulk			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

H. 397. Relating to Franklin County: to levy and impose additional privilege license and excise taxes for school purposes paralleling the state sales and use taxes as prescribed in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended; to provide for the collection of such taxes by the State Department of Revenue; to provide for the distribution of the proceeds thereof; and to provide for the enforcement of this Act.

by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 21, Nays 0.

And said Bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 21, Nays 0.

And said Bill, HB 397, together with the amendment proposed by the Governor, is herewith returned to the House.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill:

H. 33. To authorize the Governor, the Director of Finance, and the Attorney General to become a public corporation for the purpose of acquiring land from the State or otherwise upon which it shall, at a cost not to exceed four million dollars, construct, operate and maintain, or cause to be constructed, operated and maintained, an office building or buildings, the space therein to be rented to officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and the United States; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to confer on the corporation the power of eminent domain; to provide for the lease to and by officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States of space for occupancy in said building or buildings; and to provide that any properties of the corporation and the income therefrom and any securities issued and the income therefrom and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities.

And said Bill, as thus amended by the Conference report, was again read at length and passed.

And said Bill, HB 33, together with the report of the Committee on Conference, is herewith returned to the House.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Leonard:

S. 191. To amend Section 1 of Act No. 86, approved June 15, 1953, entitled An Act: "To amend Section 2 of Act No. 462, approved September 25, 1947, entitled An Act: "To change the method of compensating the Sheriff of Talladega County, placing such officer on salary, and providing clerical assistance and office space to him."

With notice and proof thereto attached and herewith exhibited as follows:

AN ACT

To amend Section 1 of Act No. 86, approved June 15th, 1953, entitled An Act: "To amend Section 2 of Act No. 462, approved September 25, 1947, entitled An Act: "To change the method of compensating the Sheriff of Talladega County, placing such officer on salary, and providing clerical assistance and office space to him."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 1 of Act No. 86, approved June 15, 1953, entitled An Act: "To amend Section 2 of Act No. 462, approved September 25, 1947, entitled An Act: "To change the method of compensating the Sheriff of Talladega County, placing such officer on salary, and providing clerical assistance and office space to him" be, and the same is hereby, amended so as to read as follows:

"Section 1. That Section 2 of Act No. 462, approved September 25, 1947, entitled An Act: "To change the method of compensating the Sheriff of Talladega County, placing such officer on salary, and providing for clerical assistance and office space to him" be, and the same is hereby, amended so as to read as follows:

"Section 2. The governing body of Talladega County shall provide sufficient clerks, deputies and other assistants to the sheriff, but the sheriff shall select the clerks, deputies and other assistants, and shall fix their compensation, but the combined compensation of such clerks, deputies and assistants selected by him shall not exceed Eighteen Thousand Nine Hundred (\$18,900.00) dollars per year. The Sheriff shall have the right to discharge the clerk, deputies and assistants at will. The county governing body is authorized to adopt rules and regulations for conducting and operating the office, if such are necessary as a result of changing the method and basis of compensation under this Act. The compensation of the clerks, deputies and assistants shall be paid in equal monthly installments out of the county treasury as other county employees are.

Section 2. All laws or parts of laws in conflict herewith are hereby expressly repealed.

Section 3. This Act shall become effective upon its passage and approval by the Governor.

(Jan. 27—Feb. 3-10-17.)

THE STATE OF ALABAMA TALLADEGA COUNTY

Personally appeared before me, a.....in and for said County Cecil Hornady, who being duly sworn according to law, deposes and says that he is the Editor and Publisher of the Talladega News a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made

in said newspaper for 4 weeks consecutively, to-wit in the issues hereof dated as follows: January 27 1955, February 3 1955, February 10 1955, February 17 1955.

CECIL HORNADY.

Subscribed and sworn to before me this 17th day of Feb. 1955.

ELIZABETH M. YOUNG,
Notary Public.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title to which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 191. Local Legislation No. 1.

BILLS ON THIRD READING RESUMED

H. 665. To appropriate out of any funds in the State Treasury not otherwise appropriated, the sum of \$35,000.00 to the Department of Finance—Mail and Supply Room to be used as a revolving fund for the payment of telephone bills for the State departments, boards, bureaus and agencies using the State central telephone system in the City of Montgomery; to provide for the expenditures therefrom and the reimbursement thereto.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Messrs.	Ferrell	Kaul	Oakley
Albea	Franklin	Kendall	Oden
Ashworth	Gilchrist	Killough	Payne
Bassett	Gist	Lackey	Perry
Boyd	Goodwyn	Law	Pruitt
Bradford	Gregory	Lee (Barbour)	Ramey
Branyon	Grouby	Locke (Choctaw)	Reynolds
Brassell	Hain	Locke (Perry)	Richardson
Broadfoot	Hall	Love	Selman
Brooks	Haltom	McClendon	Shumate
Brown (Lamar)	Hanby	McKay	Simon
Brown (Lee)	Hardy	McLendon	Speaks
Burkhalter	Hare	McNider	Steagall
Callahan	Harrison	Martin	Stembridge
Cornett	Harvey	Mathews	Stokes
Cox	Hawkins	Mathison	Summerlin
Dawkins	Hodges	Meeks	Taylor
deGraffenried	Hollinan	Molette	Thomas
Dement	Huddleston	Money	Vacca
Dickson	Hunt	Nettles	Ward
Edwards (Escambia)	Jenkins	Nice	Windle
Edwards (Jefferson)	Johnson (Elmore)	Nolen	Wood
Faulk	Johnson (Tallapoosa)		

And the bill:

H. 193. To define, regulate and license barbers and barber shops, barber colleges and like businesses, to create a State Board of Barber Examiners, define their powers and duties, fix their compensation, fix and prescribe license fees for barbers, barber shops, barber colleges and like businesses, to prescribe penalties and punishment for the violation of this act.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Health, said committee substitute being as follows:

Substitute for H.B. 193:

A BILL
TO BE ENTITLED
AN ACT

To define, regulate and license barbers, barber apprentices and barber shops, barber colleges and like businesses, to create a State Board of Barber Examiners, define their powers and duties, fix their compensation, fix and prescribe license fees for barbers, barber apprentices, barber shops, barber colleges and like businesses, to eliminate the operation of this act in certain counties, to prescribe penalties and punishment for the violation of this act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Unlawful Acts—It shall be unlawful for any person to engage in the practice or attempt to practice barbering without a certificate or registration as a registered barber or a registered apprentice issued by the State Board of Barber Examiners hereinafter established in this Act, pursuant to the provisions of this act and any reasonable rules and regulations established by this Board.

It shall be unlawful for any person to teach or attempt to teach in a school of barbering in this State without holding a certificate of registration as a registered barber teacher issued by the board.

It shall be unlawful for any person to serve as an apprentice barber under a registered barber or otherwise without a certificate of registration as a registered apprentice issued by the board.

It shall be unlawful for any person, firm or corporation to operate a barber shop or a school of barbering unless such shop or school of barbering is a licensed barber shop or licensed school of barbering and shall at all times be under the direct supervision and management of a registered barber or a registered barber teacher.

It shall be unlawful for any person, firm or corporation to hire or employ any person to engage in the practice of barbering as hereinafter defined, unless such person then holds a valid unexpired and unrevoked certificate of registration to practice barbering or a certificate of registration as a registered apprentice.

It shall be unlawful for any person to work as a manicurist, maid, or porter, in a licensed barber shop, unless such person or persons has a reputable doctor's certificate attesting that such person so employed is free from any infectious or contagious disease.

Section 2. Definitions—Any one or any combination of the following practices (when not done for the treatment of disease of physical

or mental ailments and when done for payment either directly or indirectly), constitutes the teaching and practicing of barbering.

1. Shaving, or trimming the beard or cutting or bobbing the hair.
2. Facial and scalp massages or applications with oil, creams, lotions or other preparations.
3. Singeing, shampooing or dyeing the hair or applying hair tonics.
4. Applying cosmetic preparations, antiseptics, powders, oils, clay or lotions to scalp, face or neck; and

For the purpose of this act and as used herein the term "Barber Shop" is hereby defined to embrace and include any establishment or place of business wherein the practice of barbering as hereinabove defined is engaged in or carried on.

Section 3. No registered apprentice barber shall independently practice barbering, but he may as an apprentice barber do any or all of the acts constituting the practice of barbering under the immediate personal supervision of a registered barber, and only one such apprentice barber shall be employed in any licensed shop.

Section 4. Any person qualified to receive a certification of registration as a registered apprentice barber: shall have the following qualifications,

- (a) Be at least sixteen and one-half years of age, and
- (b) Be of good moral character and temperate habits, and
- (c) Who has completed not less than nine months or fifteen hundred hours course of study and graduated from a school of barbering approved by the Board or operated under a license from any other barber commission existing under local laws or general laws of local application of this State.
- (d) Who has satisfactorily passed a reasonable examination conducted by the board making a grade of not less than seventy per cent to determine his fitness to practice as a registered apprentice barber embracing practical and theoretical examination, and
- (e) Who can furnish to the board a certificate from a duly licensed doctor dated not more than ten days to the date of the application attesting that he or she is free from any venereal and contagious or infectious disease.

An applicant for a certificate of registration to practice as an apprentice barber in a barber shop who fails to pass the required examination may be allowed to take another examination at the discretion of the Board but not exceeding 90 days thereafter. If he fails his 2nd examination he shall be required to attend a licensed Barber School in this State for at least 90 days before being allowed to take a third examination.

Section 5. Any person is qualified to receive a certificate of registration to practice barbering:

- (a) Who is qualified under the provisions of Section 4 of this Act.
- (b) Who is at least eighteen years of age, of good moral character and temperate habits; and

(c) Who has practiced as a registered apprentice barber for a period of not less than eighteen months under the immediate personal supervision of a registered barber, and

(d) Who has satisfactorily passed a reasonable examination conducted by the board making a grade of not less than seventy percent (70%) to determine his fitness to practice barbering.

An applicant for a certificate of registration to practice as a registered barber who fails to pass the examination conducted by the board must continue to practice as an apprentice barber for an additional six months before he is again entitled to take another examination for a registered barber.

Section 6. The provisions of this act shall not be construed to apply to:

(a) Persons authorized by the law of this state to practice medicine and surgery or osteopathy or chiropractic, or persons holding a drugless practitioner certificate under the law of this State:

(b) Commissioned medical or surgical officers of the United States Army or Navy or Marine hospital service:

(c) Registered nurses in the course of their employment as such.

(d) Persons practicing beauty culture working on female persons only; except this Act shall apply to barbers working in a beauty shop whose only duty is to cut hair of female persons.

(e) Persons employed in State or local institutions, or hospitals who serve patients in said institutions in course of treatments only.

(f) Any public school, state educational institution or other school or institution, supported in whole or in part by public funds, in which the art of barbering is taught, but no such school or institution nor the barber students thereof shall make any charge for personal services rendered by the students of barbering. Provided further, that such public schools or institutions where barbering is taught, shall comply with all applicable state health laws and reasonable health standards promulgated by this Board. And such public schools may be inspected by the inspectors or this board and required to comply with applicable state health laws and reasonable health rules of this board.

(g) Persons who render barber service to their immediate family without compensation.

Section 7. Any person is qualified to enroll in a school of barbering who

(a) is at least sixteen and one-half years of age,

(b) is of good moral character and temperate habits,

(c) has furnished the principal or barber teacher in charge of a licensed barber school in this state, a certificate from a reputable licensed doctor or a reputable laboratory in the State attesting that the applicant is free from any infectious and contagious disease.

(d) can furnish the licensed school a certificate or diploma showing he has completed sixth grade of a grammar school or has an education equivalent thereto or can convince the head of said licensed school that he is of good average intelligence.

No fee shall be required for examination to qualify a student to enroll in any school of barbering approved by the board. Should a

licensed school deny him admission he may apply to the Board for an examination to determine his educational and other qualifications, and upon said examination the Board may give him a permit to enter a school.

Section 8. No school of barbering shall be approved by the board until such school comply with a uniform curriculum and the reasonable rules set up by the Board governing the operation of a Barber School and shall have paid the license required by this Act.

(a) The board shall have the power to make reasonable rules regulating Barber Colleges or schools, including the qualification of the barber teacher, the hours and length of study, providing the hours shall not exceed 1,500, the filing with the Board of the names and addresses and ages of all students, the filing with the Board the names and addresses of all students who have been given a certificate of graduation showing date of graduation.

(b) No barber school or college shall be approved by the State Board of Barber Examiners which shall pay any wage, commission or gratuity of any kind to barber students for barber services while in training or while enrolled as students in such school or college. And no barber business for profit shall be operated by or in connection with any barber school or college.

Section 9. Each applicant for an examination shall:

(a) Make application to the board ten days prior to examination date, on blank forms prepared and furnished by the board, such application to contain proof under the applicant's oath of the particular qualifications of the applicant.

(b) Furnish to the board a certificate from a reputable laboratory or a licensed doctor that he responded negatively to a Kohn or Wasserman test and that he is free from any contagious or infectious or venereal disease.

(c) Pay the required fee to the board as provided in Section 18 of this act.

Section 10. The board shall conduct examinations of applicants for certificates of registration to practice as registered barber teachers, registered barbers, registered apprentices and examinations to determine the educational qualifications of an applicant to enter a school of barbering not less than four times each year, at such time and place as the board may determine. The examination of applicants for a certificate of registration as a registered barber teacher, registered barber or registered apprentice shall include both practical and demonstration work and written and oral tests, and shall embrace the subjects required to be taught in schools of barbering approved by the board.

Section 11. Certificates of registered barber teachers, registered barbers and registered apprentices shall be issued by the board of applicants who shall pass a reasonable examination conducted by the board and make an average grade of not less than seventy percent (70%), and who shall possess the other qualifications required by this act.

Section 12. A person who is at least eighteen years of age and of good moral character and temperate habits who

(a) Can furnish to the board a certificate from a licensed doctor a reputable laboratory of this State dated not more than ten days

prior to the date of the application, attesting that the applicant is free from any venereal or contagious or infectious disease,

(b) Has an un-revoked or unexpired license or certificate as a practicing barber issued by the proper authorities from another state or county which has substantially the same standards or requirements for licensing or registering barbers as required by this act, and

(c) Can furnish the board two sworn affidavits that he has practiced as a barber in another state or county for at least five years immediately prior to making application in this state, shall upon payment of the required fee be called by the Board of Barber Examiners to take an examination conducted by the board to determine his qualifications to receive a certificate of registration to practice barbering. Should the applicant fail to pass the required examination, he shall be allowed to make application and pay the required fee and be called by the board for the next term of examinations. Should he fail to pass the second and third examination he shall be required to enroll in a barber school before he shall be entitled to make application for another examination, completing not less than nine months in said school.

Any apprentice who is at least sixteen and one-half years of age, of good moral character, temperate habits and who furnishes the board a certificate from a State laboratory or a reputable laboratory or a licensed doctor in this state dated not more than ten days prior to the date of the application attesting that the applicant is free from any venereal or contagious or infectious disease and who holds a diploma showing a graduation from a sixth grade grammar school or equivalent education or as determined by an examination conducted by the board and has an un-revoked or unexpired certificate of registration as an apprentice in a state or county which has substantially the same requirements for registration as an apprentice as is required by this act shall, upon payment of the required fee, be called by the board for an examination to determine his fitness to receive his certificate of registration as an apprentice. Should he pass the required examination a certificate of registration as a registered apprentice shall be issued to him and the time spent in such other state or county as an apprentice shall be credited upon the period of apprenticeship required by this act as a qualification to take examination to determine his fitness to receive a certificate of registration as a registered barber.

Any person who has practiced as an apprentice in another state or county which do not have substantially the same requirements for registration as an apprentice as required by this act, who has the qualifications as required in subdivisions (a), (b), (c), (d), (e) and of (f) of Section 4 of this act, shall be credited with the time so spent as an apprentice in such state or county upon the period of apprenticeship required by this act as qualifications to take the examination to determine his qualifications to receive a certificate of registration as a registered barber.

Section 13. Any persons resident of this state who have for two years immediately preceding the passage of this act continuously engaged in the practice of barbering at one or more established places of business shall be granted a certificate of registration as a registered barber or a registered apprentice without examination, by making sworn statement that he has practiced in Alabama as a Barber or apprentice for two years in his application to the board, furnishing the board a certificate of a licensed doctor or a reputable licensed laboratory in this State on or before January 1st, 1956, and pay the required fee for either a registered barber or a registered apprentice to practice barbering in this State.

Any person who prior to the passing of this act graduated from or who was studying in a school of barbering is qualified upon graduation from such school to take the examination for certificate of registration to practice as an apprentice, without regard to whether such school complied with the standards for approval specified in this act.

Section 14. Every registered barber teacher, registered barber and every registered apprentice barber who continues in active practice of barbering shall annually, on or before October 1st of each year, renew his certificate of registration by a laboratory certificate or doctor's certificate attesting that the applicant renewing his annual license is free from contagious or infectious diseases, and shall pay the required fee set up in this Act. Every certificate of registration which has not been renewed during the month of October in any one year shall expire on the 1st day of November in that year. A registered barber teacher, or registered barber or registered apprentice whose certificate of registration has expired may have his certificate restored immediately upon furnishing the board physical examination certificate and paying the restoration fee. Any registered barber teacher or registered barber or registered apprentice who retires from the practice of teaching or practicing barber for not more than two years may renew his certificate of registration by furnishing the board a laboratory or doctor's certificate attesting the applicant free from contagious and infectious diseases and by the payment of the required registration fee. Any registered practitioner under this act who retires from the teaching or practice of barbering for more than two years may restore his certificate of registration by furnishing the board a laboratory or doctor's certificate attesting the applicant free from any contagious or infectious diseases, and upon payment of required registration fee and passing an examination conducted by the board.

Section 15. Every holder of a certificate of registration shall display same in a conspicuous place adjacent to or near his work chair where it is in view of the public at all times.

The State Board of Barber Examiners shall prepare copies of the provisions of Section 24 of this act, together with any other rules and regulations or sanitary requirements for conducting a barber shop and barber schools, and furnish to the owner or manager of each barber school and barber shop one such copy, to be posted in a conspicuous place in such barber school or barber shop by the said owner or manager thereof.

All barber shops eligible to display the rules and regulations promulgated by the board shall be licensed by said board. No barber shop in the State shall be permitted to open for the purpose of serving the public unless and until the shop has been inspected and approved by the board or one of the inspectors representative of said board. No licensed shop or school will be permitted to continue operating if all sanitary and health regulations of the State Board of Health are not complied with at all times.

Section 16. The board may either refuse to issue or to renew or may suspend or revoke any certificate or registration for any of the following causes:

- (a) Conviction of a felony involving moral turpitudes as shown by a certified copy of a record of the court of conviction;
- (b) Gross malpractice or gross incompetency;
- (c) Continued practice by a person knowingly having an infectious or contagious disease;

(d) Advertising by means of knowingly false or deceptive statements;

(e) Habitual drunkenness or habitual addiction to the use of morphine, cocaine or other habit forming drugs;

(f) The commission of any of the offenses described in Section 19, subdivisions (c), (d), (f), and (g) of this act.

Section 17. The board may neither refuse to issue or refuse to renew, nor suspend, nor revoke any certificate of registration, or revoke or suspend any license of any shop for any cause unless the person accused has been given at least twenty days notice in writing of the charge against him or against said shop, and a public hearing by the board and the party may be represented by counsel, except subdivision (c) and (d) of Section 16, when immediate suspension must be made and continue until a satisfactory showing can be made that the disqualification has ceased to exist.

Upon hearing of any such proceedings the board may administer oath and may procure by its subpoena the attendance of witnesses, the production of relevant books and papers for both the prosecution and for the defendant.

Any court of competent jurisdiction or judge thereof, either in term time or in vacation, upon application either by the accused or of the board, may, by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the board in any hearing relative to the refusal, suspension or revocation of certificate of registration.

The fees and mileage of the sheriff and of the witnesses shall be the same as allowed in criminal cases and shall be paid from the funds of the board as other expenses of the board are paid.

Section 18. The original fee for each person to operate a barber shop shall be fifteen dollars (\$15.00). The annual renewal fee to be paid for licensing to operate a barber shop shall be five dollars (\$5.00). The fee to be paid for licensing a barber school or college shall be six hundred dollars (\$600.00), all of which fees shall be due and payable annually. The fee to be paid by the applicant who is not a resident of the State of Alabama for an examination to determine his qualifications to receive a certificate of registration to practice barbering in this State is twenty-five dollars (\$25.00). And for the issuing of a certificate to an applicant who is not a resident of the State of Alabama after he passes the examination to determine his qualifications to receive a certificate of registration to practice barbering in this State is ten dollars (\$10.00).

The fee to be paid by an applicant for examination to determine his qualifications to receive a certificate of registration to teach barbering is thirty-five dollars (\$35.00), and after he has passed the examination he shall receive a certificate.

The fee to be paid by an applicant who is a resident of the State of Alabama at the date this law becomes effective and qualified under Section 12 of this act is ten dollars (\$10.00).

The fee to be paid by an applicant for an examination to determine the applicant's qualifications to receive a certificate of registration to practice as an apprentice is ten dollars (\$10.00) and for the issuance of the certificate is five dollars (\$5.00).

The fee to be paid by an applicant for examination to determine the applicant's qualifications to receive a certificate of registration to

practice barbering is ten dollars (\$10.00) and for the issuance of the certificate is five dollars (\$5.00).

The fee to be paid for the renewal of the certificate or license for a barber shop shall be five dollars (\$5.00).

The fee to be paid for the renewal of a certificate of registration to teach barbering is twenty dollars (\$20.00).

The fee to be paid for the annual renewal of a certificate of registration to practice barbering is ten dollars (\$10.00).

The fee to be paid for annual renewal of a certificate of registration to practice as an apprentice is ten dollars (\$10.00).

The fee to be paid for the registration of an expired certificate to teach barbering is thirty-five dollars (\$35.00).

The fee to be paid for the registration of an expired certificate to practice as an apprentice is ten dollars (\$10.00).

A duplicate certificate shall be issued upon the filing of a statement covering the loss of a certificate, verified by oath of the applicant, and the payment of a fee of two dollars (\$2.00) for the issuance of the same. Each duplicate certificate shall have the word "Duplicate" stamped across the face thereof and will bear the same number as the certificate that it was issued in lieu of. There shall be no exemptions from the payment of these licenses by any barber, scalp specialist, barber apprentice, barber teacher, barber school, barbershop operator, partnership, association or corporation or school board or public institution where a fee is charged for barbering.

Section 19. Each of the following shall constitute a misdemeanor punishable upon conviction by fine of not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00) or by imprisonment in jail for a term not to exceed two months, or by both fine and imprisonment, in the discretion of the court.

(a) A violation of any of the provisions of Section 1 of this act.

(b) Permitting any person in one's employ, supervision or control to practice as a barber or as an apprentice or as a teacher unless that person has a certificate of registration as a registered barber, registered apprentice or a registered teacher.

(c) Obtaining or attempting to obtain a certificate of registration for money other than the required fee, or any other bribe of value politically, or by fraudulent misrepresentation.

(d) Practicing or attempting to practice by fraudulent misrepresentation.

(e) The willful failure to display a certificate or license as required by Section 11 of this act.

(f) The use of any room or place for barbering which is also used for residential or business purposes (except the sale of hair tonics, lotions, cream, cutlery, toilet articles, cigar, tobacco, confections and such commodities as are commonly used and sold in barber shops, unless a substantial partition of ceiling height completely separates the portion used for residential or business purposes).

(g) A violation of any of the provisions of subdivisions (a), (b), (c), (d), (e), (f), (g), (h), and (i) of Section 24 hereof.

(h) The willful failure by any owner or manager of a barber shop or a barber school to display the copy of Section 24 hereof with rules and regulations as provided in Section 24 hereof.

Section 20. (a) The willful making of any false statement of material matter in any oath or affidavit which is required by the provisions of this act is perjury and punishable as such under the general laws of this State. (b) It shall be unlawful and constitute a misdemeanor punishable by a fine of not less than \$50.00 nor more than \$500.00 or ninety days in jail, or both at the discretion of the Court, for any Board member or employee of the Board to induce, or coerce or force or attempt to induce or coerce or force an applicant under this act to join any organization or association.

Section 21. A board is hereby created, to be styled and to be known as the State Board of Barber Examiners for the State of Alabama, which shall consist of three barber members appointed by the Governor and no two members shall be appointed from the same congressional district. Each barber member shall be a practicing barber who has followed the occupation of barbering in this state for at least ten years immediately prior to his appointment.

Of the members of the first board appointed, one shall serve for a term of two years, one for a term of four years and one for a term of six years; and members thereafter appointed shall serve for six years. The governor may remove a member of said board for gross incompetency, gross immorality, or disability, for any abuse of his official power, or for any other just cause, and shall fill any vacancy thus occasioned by appointment within thirty days after such vacancy occurs. Members appointed to fill vacancies shall serve only for the unexpired term of their predecessors.

Section 22. The board shall select a president, vice-president and treasurer, all of whom shall be barber members of the board. The board shall adopt and use a common seal for authentication of its orders and records. The board shall select a secretary who shall keep a record of all proceedings of the board and shall have practiced the profession of barbering for at least 10 years and a resident of Alabama for 10 years.

The secretary and the treasurer shall give bond in the sum of ten thousand dollars (\$10,000.00), with a surety company qualified to do business in Alabama, to be approved by the board, for the faithful performance of their duties. A majority of the board in a meeting duly assembled may perform and exercise all the duties devolving upon the board. The board members shall receive a compensation of twenty dollars (\$20.00) per day for each day, or fraction thereof, actually spent in performing any duties required of them under the direction of the board, not to exceed 36 days in any calendar year, and shall be reimbursed for their reasonably necessary expenses incurred in the discharge of his duties. The secretary of the board shall receive for his services a salary not to exceed the sum of six thousand dollars (\$6,000.00) per year, payable monthly or semi-monthly in equal installments, said amount to be set by the members of the board. The Secretary shall also receive expenses not to exceed \$1,500 in any one calendar year.

The board shall report annually to the governor a full statement of its work during the year, together with such recommendations as it may deem expedient, and a copy thereof shall be kept in the office of the Board as a permanent record.

The board shall have authority to employ such special counsel, clerks, and other assistants as it may deem necessary to carry out

the provisions of this act, provided that the number of such members shall not exceed ten (10) at any one time.

The board shall appoint inspectors, who shall then hold a certificate of registration or license to practice barbering in this State, and who have practiced barbering in this State not less than five (5) years immediately prior to appointment as inspectors of barbers and barber shops and barber schools and no 2 inspectors shall be selected from the same Congressional district. The salaries of each inspector shall not exceed \$3,600 per year, plus actual expenses incurred while in the performance of his duties as such inspector away from his city of residence.

The secretary of State Board of Barber Examiners of Alabama, and the inspectors appointed by the Board are hereby vested with full police power to prefer charges against and to make arrests of any person or persons violating any part of this law, or any of the State health laws applicable to the operation of any of the businesses hereby affected. The State Board of Barber Examiners shall have full authority to designate inspectors and to deputize same with police officers and to fix bond for the performance of their duties, and such deputized inspectors or Secretary shall have full authority to prefer charges or make arrests of any person or persons violating any of the herein provided laws pertaining to barber shops, barber colleges, apprentice barbers, barber teachers, scalp specialists, house barbers, or other like business within the meaning of this law.

And the jurisdiction of each officer or inspector shall not be restricted to any one county, but he shall have full authority throughout the State of Alabama, except such counties as are excluded from the operation of this act.

Provided, however, that said officers and deputies shall have no authority to prefer charges or make arrests for the violation of any law other than the violation of the barber laws and applicable health laws, as provided for and set out in this act and the reasonably rules and regulations made by this board under authority of this act.

Section 23. All monies received by the secretary of the board under this act, who shall give a receipt for same, shall at the end of each month be reported to the State Comptroller and a permanent record thereof kept in the office of the Board, and shall at the same time be deposited with the State Treasurer. And the State Treasurer shall place the money so received in a special fund known as "State Board of Barbers Examiners Fund," which fund is hereby created. Such fund shall be expended in accordance with law for all necessary and proper expenses in carrying out the provisions of this act, upon proper claim approved by said board, and requisition made on the State Treasurer, and is hereby annually appropriated for such purposes, and said State Treasurer shall pay from said funds all such amounts as may be requisitioned by order of the Board signed by the President or Vice-President and countersigned by the Treasurer of said Board, except that any amounts so expended shall not exceed the amounts paid into said fund.

Section 24. It shall be unlawful:

(a) for any barber or apprentice to knowingly continue the practice of barbering, or for any student knowingly to continue as a student in any school of barbering, while such person has an infectious, contagious or communicable disease;

(b) to own, manage, operate or control any barber shop or barber school unless continuous hot and cold running water be provided for therein;

(c) to own, manage, operate or control any barber school or portion thereof whether connected therewith or in a separate building wherein the practice of barbering as herein before defined is engaged in or carried on unless all entrances to the place wherein the practice of barbering is so engaged in or carried on shall display a sign indicating that the work therein is done by students exclusively;

(d) to own, manage and control or operate any barber shop as hereinbefore defined unless the same displays a recognized sign indicating that it is a barber shop, which said sign shall be clearly visible at the main entrance to said shop;

(e) to use upon one patron a towel that has been used upon another patron unless and until the towel has been re-laundered;

(f) not to provide the head rest on each chair without a re-laundered towel or a sheet of clean paper for each patron;

(g) to use in the practice of barbering as hereinbefore defined, any styptic pencils, finger bowls, sponges, lump alum or powder puffs;

Possession of styptic pencil, finger bowl, sponge, lump alum or powder puff in a barber shop is prima facie evidence that the same is being used therein in the practice of barbering.

(h) Not to place around the patron's neck a strip of cotton, towel or neck band so that the hair cloth does not come in contact with the neck or skin of the patron's body.

(i) To use on any patron any razor, scissors, tweezers, combs, rubber discs or parts of vibrators used on another patron, unless the same shall be immersed in boiling water or placed in a solution of two percent (2%) carbolic acid, or its equivalent before each use, and kept in a closed compartment, or to serve any patron without thoroughly washing the hands of the practitioner before serving another patron.

Any member of said board or its agents or assistants shall have authority to enter into and to inspect any barber shop or barber school or similar business at any time during the business hours but shall not be permitted to make any charge for said inspection.

The board shall be empowered to make additional sanitary rules and regulations in conformity to sanitary and health laws, rules and regulations promulgated by the State Department of Health under general health laws of this State, subject to the approval of the State Board of Health in this State and the Board shall have the power to make other reasonable rules and regulations to carry out the intent and purposes of this act.

Section 25. The board shall keep a record of its proceedings relating to the issuance, refusal, renewal, suspensions and revocations of certificates of registration. The board shall keep a record of all reasonable rules and regulations made by it under this act and a copy thereof shall be made available to any barber upon request. This record shall also contain the names, place of business and residence of each registered barber, registered apprentice barber and the date and number of his certificate or registration. The board shall keep a correct record of all barber shops licensed under this act, the name of the place of business, and the records and addresses of the school licensed under this act. Records of this Board shall be public records open for inspection at reasonable times.

Section 26. If for any reason any clause, sentence, section, subsection or provision of this act or the application thereof to any person,

firm, corporation, association, body situation or circumstance, is held invalid or inoperative, the remainder of this act and the application thereof to any other person, firm, corporation, association, body, situation or circumstance shall not be affected hereby.

Section 27. All laws or parts of laws, general or local, which conflict with this act are hereby superseded and repealed, except that this act shall not be applicable to or repeal any law affecting any county having a population of not less than 40,500 nor more than 45,000 inhabitants, or any county having a population of not less than 72,000 nor more than 93,500 inhabitants, or any county having a population of 200,000 or more inhabitants, according to the last or any subsequent federal decennial census.

Section 28. This act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

The motion of Mr. Davis to indefinitely postpone the bill, H. 193, and pending substitute, was lost.

Yeas 39; Nays 44.

Yeas:

Messrs.	Grouby	Lee (Barbour)	Payne
Albea	Hain	Love	Pirkle
Ashworth	Hardy	McClendon	Pruitt
Brooks	Harvey	McKay	Ramey
Brown (Lee)	Holliman	McLendon	Richardson
Burkhalter	Hunt	McNider	Solomon
Davis	Jenkins	Martin	Summerlin
Dickson	Johnson (Tallapoosa)	Molette	Thomas
Franklin	Kendall	Nettles	Ward
Gregory	Kirkham	Oakley	Windle

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Nays:

Messrs.	Dement	Harrison	Oden
Bassett	Edwards (Escambia)	Hawkins	Reynolds
Boyd	Edwards (Jefferson)	Huddleston	Roberts
Bradford	Ferrell	Johnson (Elmore)	Simon
Brassell	Gilchrist	Killough	Speaks
Broadfoot	Gist	Lackey	Steagall
Brown (Lamar)	Goodwyn	Law	Stembridge
Callahan	Hall	Lee (Lawrence)	Stokes
Cornett	Haltom	Locke (Choctaw)	Taylor
Cox	Hanby	Money	Tyson
Dawkins	Hare	Nolen	Wood
deGraffenried			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 473. Relating to Wilcox County; regulating the solicitation of membership in certain organizations from among the citizens of Wilcox County; providing for the issuance of permits and payment of fees for the solicitation of membership in such organizations; and prescribing penalties for violations of this Act.

Also:

H. 648. Proposing an amendment to the Constitution of Alabama relative to the industrial development of the municipalities of Coffee County.

Also:

H. 658. To amend further Act No. 345, H. 793, approved September 24, 1923 (Local Acts of Alabama, 1923, page 237) which relates to the election, duties, term of office and compensation of the county superintendent of education of Blount County.

Also:

H. 687. To vacate and annul the dedication of the following described portion of Seventh Street, in the City of Tuscombua, Colbert County, Alabama: That portion of Seventh Street lying between the easterly margin line of Water Street and the westerly margin line of Main Street.

Also:

H. 697. To apply in all counties of the State having a population of not less than 200,000 nor more than 400,000, according to the last or any subsequent Federal decennial census; providing for the appointment of bailiffs for the Circuit Courts in such counties, prescribing their duties, and regulating their compensation.

Also:

H. 698. To amend Section 4 and Section 5 of an Act entitled an Act "To provide for appointment of official court reporters of the circuit courts in those circuits which are now, or which may hereafter be, composed of only one county and having not less than four nor more than nine circuit judges; to provide for their qualifications, to fix their compensation, to define their duties and provide for the appointment of special reporters in such cases; and to repeal all laws which may be in conflict herewith", approved April 8, 1955.

Also:

H. 699. To provide further for the compensation of the circuit solicitor in circuits composed of one county and having not less than four nor more than nine circuit judges.

Also:

H. 701. To amend Sections 5, 17, 20, and 25 of Act No. 187, S. 339, approved June 29, 1951 (Acts of Alabama 1951, Page 438), which provides for a Firemen's and Policemen's Pension and Relief Fund in cities which have a population exceeding forty-five thousand and not exceeding fifty-four thousand inhabitants according to the preliminary census of April 1, 1951, or any subsequent Federal Census.

J. E. SPEIGHT,
Secretary.

CERTIFICATE OF CLERK

The House of Representatives:

I hereby certify that the House Bill hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:10 A.M. On July 29, 1955.

H. 653

R. T. GOODWYN, JR.,
Clerk.

ADJOURNMENT

Mr. Johnson (Tallapoosa) moved that the House adjourn until Tuesday, August 2, 1955, at eleven o'clock A.M.

Mr. Dawkins offered as a substitute, a motion to adjourn until Tuesday, August 2, 1955, at ten o'clock A.M.; and the motion was lost.

Yeas 24; Nays 66.

Yeas:

Messrs.	Cornett	Gregory	Martin
Ashworth	Davis	Hain	Nettles
Boyd	Dawkins	Harvey	Pruitt
Branyon	Dickson	Kendall	Richardson
Brassell	Franklin	Locke (Perry)	Speaks
Brooks	Gilchrist	McLendon	Stokes
Brown (Lee)			

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Nays:

Messrs.	Grouby	Lackey	Payne
Albea	Hall	Law	Perry
Bassett	Haltom	Lee (Barbour)	Pirkle
Bradford	Hanby	Lee (Lawrence)	Ramey
Broadfoot	Hardy	Locke (Choctaw)	Reynolds
Brown (Lamar)	Harrison	Love	Roberts
Burkhalter	Hawkins	McKay	Shumate
Callahan	Hodges	McNider	Solomon
Cox	Holliman	Mathews	Steagall
deGraffenried	Huddleston	Mathison	Stembridge
Dement	Jenkins	Meeks	Summerlin
DeSear	Johnson (Elmore)	Molette	Taylor
Edwards (Escambia)	Johnson (Tallapoosa)	Money	Thomas
Edwards (Jefferson)	Kaul	Nice	Vacca
Faulk	Kelly	Nolen	Windle
Gist	Killough	Oakley	Wood
Goodwyn	Kirkham	Oden	

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And the motion of Mr. Johnson (Tallapoosa) to adjourn until Tuesday, August 2, 1955, at eleven o'clock A.M. was adopted.

Yeas 51; Nays 38.

Yeas:

Messrs.	Cox	Hain	Kirkham
Ashworth	Davis	Hardy	Lee (Barbour)
Boyd	DeSear	Harvey	Locke (Choctaw)
Branyon	Dickson	Hodges	Locke (Perry)
Brassell	Edwards (Jefferson)	Holliman	Love
Brooks	Faulk	Jenkins	McKay
Brown (Lee)	Ferrell	Johnson (Tallapoosa)	McNider
Burkhalter	Franklin	Kaul	Martin
Cornett	Grouby	Kendall	Mathison

Molette	Perry	Richardson	Summerlin
Nettles	Pirkle	Solomon	Thomas
Oakley	Pruitt	Speaks	Ward
Payne	Ramey	Stembridge	Windle

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Nays:

Messrs.	Gilchrist	Johnson (Elmore)	Oden
Albea	Gist	Kelly	Reynolds
Bassett	Goodwyn	Killough	Roberts
Bradford	Gregory	Lackey	Shumate
Broadfoot	Hall	Law	Steagall
Brown (Lamar)	Haltom	Lee (Lawrence)	Stokes
Callahan	Hanby	Meeks	Taylor
Dawkins	Harrison	Money	Vacca
deGraffenried	Hawkins	Nice	Wood
Dement	Huddleston	Nolen	

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